

1 **Michael Willis** of the Chase Family,  
2 In Propria Persona  
3 P.O. Box 4461,  
4 CITY OF SEDONA,  
5 STATE OF ARIZONA U.S.A. [86340]  
6 Email: aloha777sedona@gmail.com  
7 Phone: +1 (928) 399-9688

ORIGINAL FILED THIS  
DAY OF MAY - 6 2022  
DONNA McQUALITY  
Clerk of Superior Court  
By: M. MONTIEL  
Deputy

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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

STATE OF ARIZONA ) CASE NO. V1300CR201980661  
)  
PLAINTIFF ) **FOR THE RECORD: DECLARED WITNESSED**  
) **TESTIMONY OF MICHAEL WILLIS OF THE**  
VS. ) **CHASE FAMILY. SPECIALLY AND IN GOOD**  
) **FAITH SUBMITTING DOCUMENTS AND**  
*Michael Willis* of the Chase ) **EXHIBITS ON THE RECORD IN TIMELY**  
Family, Principle Creditor For ) **FASHION, TO KEEP COMMUNICATION**  
MICHAEL WILLIS CHASE™ ) **CLEAR WITH THE COURT BY DECLARED**  
) **WITNESSED TESTIMONY BY MICHAEL**  
ACCUSED ) **WILLIS OF THE CHASE FAMILY**  
)

Dated this 6<sup>th</sup> day of May, 2022.

Specially, in “GOOD FAITH” and Timely. *Michael Willis* of the Chase Family.

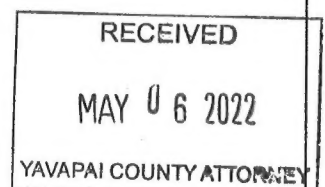
\*Reminder to COURT - 18 U.S. Code § 4 - Misprision of felony.

\*Your Loyalty Oath: Federal Constitution And Arizona Constitution.

**“FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF  
MICHAEL WILLIS OF THE CHASE FAMILY. SPECIALLY AND IN GOOD  
FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN  
TIMELY FASHION, TO KEEP COMMUNICATION CLEAR WITH THE**

**“FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF MICHAEL WILLIS OF THE CHASE FAMILY.  
SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY  
FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY  
MICHAEL WILLIS OF THE CHASE FAMILY”**

PAGE 24 OF 24



1 COURT BY DECLARED WITNESSED TESTIMONY BY *MICHAEL WILLIS*  
2 OF THE CHASE FAMILY”  
3

4 To HONORABLE JOHN DAVID NAPPER By Asseveration.  
5

6 ¶1. Regarding: The Accused *Michael Willis* of the Chase Family (hereinafter  
7 Declarant) “FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF  
8 *MICHAEL WILLIS* OF THE CHASE FAMILY. SPECIALLY AND IN GOOD  
9 FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN  
10 TIMELY FASHION, TO KEEP COMMUNICATION CLEAR WITH THE  
11 COURT BY DECLARED WITNESSED TESTIMONY BY *MICHAEL WILLIS*  
12 OF THE CHASE FAMILY”

13 Notice

14 ¶2. Notice Is Hereby Given that I, *Michael Willis* of the Chase Family, The Declarant  
15 has undergone a religious conversion to a **Denizen**<sup>1</sup>, I do not take oaths, or  
16 affirmations. *Gordon versus Idaho* 778 F.2d 1397 (1985), [The United States Ninth  
17 Circuit Judge Harry Pregerson.]<sup>1</sup> Psalm 116:11<sup>1</sup> and Romans 3:4<sup>1</sup>.

18 ¶3. Notice Is Hereby Given that the “FOR THE RECORD: DECLARED  
19 WITNESSED TESTIMONY OF *MICHAEL WILLIS* OF THE CHASE  
20 FAMILY. SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS  
21 AND EXHIBITS ON THE RECORD IN TIMELY FASHION, TO KEEP

22 <sup>1</sup> **Denizen** Definition: Sir Walter Scott “*Denizens of their own free, independent state*” 1912.  
23 William Blackstone, Commentaries on the Laws of England, Book 1, Chapter X, p. 374 “*A*  
24 *denizen is a kind of middle state, between an alien and a natural-born subject, and partakes of*  
25 *both.*” 1765. *Gordon versus Idaho* 778 F.2d 1397 (1985), -The United States Ninth Circuit Judge  
26 Harry Pregerson. “*I’m simply saying that since we’ve all lied in the past and we’ve lied once or*  
27 *twice today and we’re going to lie in the future, why kid ourselves by saying we tell the truth*  
28 *when in fact we do not. It’s my position I would be guilty of perjury the moment I said ‘Do you*  
*swear to tell the truth, the whole truth and nothing but the truth so help you God’ and I say ‘I do’*  
*I’m committing a lie.*” -George Gordon. Psalm 116:11 “*I said in my haste, all people are liars*  
*Romans 3:4* “*May it never be! Yes, let God be found true, but every man a liar. As it is written*”

1 COMMUNICATION CLEAR WITH THE COURT BY DECLARED  
2 WITNESSED TESTIMONY BY *MICHAEL WILLIS* OF THE CHASE  
3 FAMILY” is declared witnessed solemn testimony of *Michael Willis* of the Chase  
4 Family by asseveration. Asseveration being the proof which *Michael Willis* of the  
5 Chase Family gives of the facts of what he says, by appealing to his conscience as a  
6 witness. It differs from an oath in this, that by the oath one appeals to *Yahweh* as a  
7 witness of the facts of what he says, and invokes *Yahweh* as the avenger of falsehood  
8 and perfidy (treachery or deceit), to punish him, by the courts, if he speak not the  
9 truth, which is a set up for perjury, because all men are liars. This is commonly  
10 known as an “*oath of purgation*” that was used in the Dark Ages to slaughter Pagans.  
11 ¶4. Notice Is Hereby Given that, this declared witnessed solemn testimony of  
12 *Michael Willis* of the Chase Family by asseveration. Know all these presents that  
13 Declarant, *Michael Willis* of the Chase Family does state the following: THAT  
14 *Michael Willis* of the Chase Family has personal knowledge of the facts stated herein.  
15 THAT *Michael Willis* of the Chase Family is competent to state to the matters set  
16 forth herein. THAT all the facts stated herein are correct and certain to the best of  
17 *Michael Willis* of the Chase Family knowledge, are admissible as evidence, and if  
18 called upon as a witnesses, *Michael Willis* of the Chase Family will testify to their  
19 veracity. THAT *Michael Willis* of the Chase Family states the following facts;

20  
21 Constitution of “The State of Arizona” – 1912.

22 ARTICLE VI. JUDICIAL DEPARTMENT

23 ¶5. “§25. *Style of process; conduct of prosecutions in name of state. Section 25.*  
24 *The style of process shall be The State of Arizona, and prosecutions shall be*  
25 *conducted in the name of the State and by its authority.*” unquote.

26 Introduction.

27  
28 “FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF *MICHAEL WILLIS* OF THE CHASE FAMILY,  
SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY  
FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY  
*MICHAEL WILLIS* OF THE CHASE FAMILY”

¶6. COMES NOW, *Michael Willis* of the Chase Family, the Declarant in the above entitled and numbered cause, and “Specially” respectfully stamps this Document on the record, to **HONORABLE JOHN DAVID NAPPER** and **MUST** enter this “**FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF MICHAEL WILLIS OF THE CHASE FAMILY. SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY MICHAEL WILLIS OF THE CHASE FAMILY**” on the record of CASE NO. V1300CR201980661.

**The Declarant is acting “Specially” and is NOT acting Generally.**

¶7. The Court is Unable To Effect a Remedy. **SEE EXHIBIT 1 – Lawful Money:** Violation of the Coinage Act April 2, 1792; Roger Sherman.

¶8. **EXHIBIT II - “Corporation” STATE OF ARIZONA D-U-N-S** number 072459266.

¶9. The Declarant has “Specially” set appointment with Spectrum Healthcare. **EXHIBIT III – Appointment, and Spectrum Healthcare Group Contract,**

¶10. The Declarant has “Specially” submitted fingerprint to the court. **EXHIBIT IV – Fingerprint ORDER Under Fraud Extortion Threat Duress Coercion,**

¶11. The Declarant **EXHIBIT V – Denizen - Fortieth Congress Suss II. Ca 249, 250. 1868.**

¶12. the Declarant **EXHIBIT VI – Expatriation Act of 1868.**

¶13. the Declarant **EXHIBIT VII – Article 1, Section 8, Clause 4.**

“FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF *MICHAEL WILLIS* OF THE CHASE FAMILY. SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY *MICHAEL WILLIS* OF THE CHASE FAMILY”

1  
2 ¶14. This Declarant claims and demands all Rights under *Yahweh* Holy Scriptural  
3 Law, The Law of Nations, The Constitution of the United States, The Constitution of  
4 The State of Arizona, and the substantive The Common Law at all times, never  
5 waiving any rights.

6 ¶15. The Declarant, *Michael Willis* of the Chase Family is ready to file suit in all  
7 higher courts. Put on notice: "State of Alert". The Vatican (Most Holy Pope  
8 Francis), Privy Council, And Her Majesty The Queen, Immaculate  
9 Conception Parish Catholic Church (Rev. David J. Kelash) Cottonwood  
10 Arizona, Jewish Community Synagogue Sedona (Rabbi Alicia Magal)  
11 Arizona, New Hope Christian Fellowship Cottonwood Arizona, Unity of  
12 Sedona (Michael Mirdad) Arizona, United States Government (Delaware  
13 Corporation by Scotland, owned by Queen), The White House (President  
14 Biden), Secretary of Defense (Lloyd J. Austin III ), CIA/FBI Directors (William  
15 Joseph Burns/Christopher Asher Wray), United States Attorney General (Merrick  
16 Brian Garland), Arizona Governor (Doug Ducey), Arizona Attorney General (Mark  
17 Brnovich), Arizona Senators (Kyrsten Sinema/Mark Kelly, Arizona  
18 Congressmen/women (Thomas Charles O'Halleran, Ann Leila Kirkpatrick, Raúl  
19 Manuel Grijalva, Paul Anthony Gosar, Andrew Steven Biggs, David S. Schweikert,  
20 Rubén Marinelarena Gallego, Debra Kay Lesko, Gregory John Stanton),  
21 Commission on Judicial Conduct Arizona, The Common Law Court International  
22 (Simon), The Common Law Court United Kingdom, The Common Law Court  
23 Australia (Mike Holt), The Common Law Court America, United Nations (The  
24 Hague, Netherlands; International Criminal Court; Reference OTP-CR-446/21),  
25  
26  
27

28 "FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF *MICHAEL WILLIS* OF THE CHASE FAMILY.  
SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY  
FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY  
*MICHAEL WILLIS* OF THE CHASE FAMILY"

1 Domestic/International Media News Outlets, Mrs. Lisa Chaney, Lead Reporter  
2 Division II, Yavapai County Superior Court, &c.

3 VERIFICATION, and CERTIFICATE OF SERVICE  
4

5 ¶16. Based upon the Declarant, *Michael Willis* of the Chase Family, Principal  
6 Creditor for MICHAEL WILLIS CHASE™ sincerely held religious education and  
7 training, Declarant knows the Word of our Creator prohibits the swearing to tell the  
8 truth by any oath or affirmation, or signing any paper “*under the penalty of perjury*”  
9 as these are oaths, prohibited by our **Creator** Holy Scriptural Law, because Psalm  
10 116:11 “*all men are lairs*” as revealed through The Creator Holy Scriptural Law.  
11 Declarant quotes the following declared evidence in our **Creator** Holy Scripture Law  
12 by the former tax-gather *Matthew* who was well qualified to produce evidence. He  
13 records fully the discourses of *Yeshua ben Yosef* and declares the following evidence:  
14 The Apostle *Matthew*’s testimony in the King James Version: Matthew 5:33-37  
15 “*Again, ye have heard that it was to them of old time, Thou shalt not forswear*  
16 *thyself, but shall perform unto the Lord thine oaths: But I say unto you, SWEAR*  
17 *NOT AT ALL; neither by the heaven; for it is the throne of Yahweh; nor by the*  
18 *earth; for it is the footstool of his feet; nor by Jerusalem; for it is the city of the*  
19 *great King. Neither shalt thou swear by thy head, because thou canst not make one*  
20 *hair white or black. But let your speech be, Yea, yea; Nay, nay; for whatsoever is*  
21 *more than these is of the evil one.*”

22 ¶17. I, *Michael Willis* of the Chase Family, the Declarant, I Am, the identified party  
23 in the above entitled “**FOR THE RECORD: DECLARED WITNESSED**  
24 **TESTIMONY OF MICHAEL WILLIS OF THE CHASE FAMILY.**  
25 **SPECIALY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND**  
26 **EXHIBITS ON THE RECORD IN TIMELY FASHION, TO KEEP**  
27

28 “FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF MICHAEL WILLIS OF THE CHASE FAMILY.  
SPECIALY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY  
FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY  
MICHAEL WILLIS OF THE CHASE FAMILY”

1 COMMUNICATION CLEAR WITH THE COURT BY DECLARED  
2 WITNESSED TESTIMONY BY *MICHAEL WILLIS* OF THE CHASE  
3 FAMILY” to HONORABLE JOHN DAVID NAPPER By Asseveration, and know  
4 the contents thereof. I declare that the above is correct and certain to the best of my  
5 knowledge. I do claim all my Rights at all times, and waive none of my Rights at  
6 anytime, for any cause or reason.

7 ¶18. *Michael Willis* of the Chase Family, Principal Creditor for MICHAEL WILLIS  
8 CHASE™ herein declares: THAT *Michael Willis* of the Chase Family is competent  
9 to state to the matters set forth herein. THAT *Michael Willis* of the Chase Family has  
10 personal knowledge of the facts stated herein. THAT all the *FACTS* stated herein are  
11 correct and certain to the best of *Michael Willis* of the Chase Family knowledge, are  
12 admissible as evidence, and if called upon as a witnesses, *Michael Willis* of the Chase  
13 Family will testify to their veracity. THAT *Michael Willis* of the Chase Family states  
14 the following facts;

15 ¶19. Further, Declarant sets forth declared evidence in the **Creator** Holy Scriptural  
16 Law by the Apostle *James* who was well qualified to produce evidence: *James*, the  
17 Apostle and bond-servant of *YAHWEH* and of *Yeshua ben Yosef* as witness: James  
18 5:12 <sup>2</sup>

19 ¶20. This named Declarant below does here by declare that the preceding and the  
20 following statements are the facts, here by verified as he knows them, and are correct,  
21 and certain to the best of his knowledge. Deuteronomy 19:15 <sup>3</sup>

22 Dated this 6<sup>h</sup> day of May, 2022..

24 2 James 5:12 “*But above all things, my brethren, swear NOT, neither by heaven, neither by the*  
25 *earth, nor by any this oath: but let your yea be yea; and your nay, nay; that ye fall not under*  
26 *judgment.*”

27 3 Deuteronomy 19:15 “*at the mouth of two witnesses or at the mouth of three witnesses shall the*  
28 *matter be established*”

1  
2 Autograph:

3 Michael Willis of the Chase Family,

4 Seal

5 In Propria Persona, Principal Creator for MICHAEL WILLIS CHASE™, which is a  
6 Corporate Identity, a Legal Fiction in all uppercase, a decedent. All rights reserved.

7 Steven Lee McMillan - As Witness

8 Paul Thorit: Agneberg - As Witness

9 I, *Michael Willis* of the Chase Family, do hereby certify that I hand-delivered an  
10 original copy of this correct and complete autographed and sealed instrument titled,  
11 **"FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF MICHAEL**  
12 **WILLIS OF THE CHASE FAMILY. SPECIALLY AND IN GOOD FAITH**  
13 **SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN**  
14 **TIMELY FASHION, TO KEEP COMMUNICATION CLEAR WITH THE**  
15 **COURT BY DECLARED WITNESSED TESTIMONY BY MICHAEL WILLIS**  
16 **OF THE CHASE FAMILY"** dated May 6<sup>th</sup>, 2022, to the COUNTY OF YAVAPAI  
17 COURT CLERK located at Yavapai County Superior Court located at 2840 North.  
18 Commonwealth Drive, CITY OF CAMP VERDE, COUNTY OF YAVAPAI, STATE  
19 OF ARIZONA, THE UNITED STATES OF AMERICA [86322]. And, I Certified  
20 Mailed an original copy of this correct and complete autographed and sealed  
21 instrument dated Dated this 6<sup>h</sup> day of May, 2022 to the COUNTY OF YAVAPAI  
22 prosecutors SHELIA POLK, KENNEDY KLAGGE, STEPHANIE SANKEY, GLEN  
23 M. ASAY, GEORGE RODRIGUEZ, LORILEI CASE, KRISTY MATHESON-PARKS  
24 on behalf of the Plaintiff, OFFICE located at, 2830 Commonwealth Drive, CITY OF  
25 CAMP VERDE, COUNTY OF YAVAPAI, STATE OF ARIZONA, THE UNITED  
26 STATES OF AMERICA [86322]. Further, I, *Michael Willis* of the Chase Family, do

27  
28 **"FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF MICHAEL WILLIS OF THE CHASE FAMILY.**  
**SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY**  
**FASHION, TO KEEP COMMUNICATION CLEAR WITH THE COURT BY DECLARED WITNESSED TESTIMONY BY**  
**MICHAEL WILLIS OF THE CHASE FAMILY"**

1 hereby certify that I certified mailed a file stamped copy of this correct, complete  
2 autographed, and sealed instrument to Petitioner. Who holds the original of said  
3 instrument, file-stamped, as *Michael Willis* of the Chase Family property.  
4

5 Dated this 6<sup>h</sup> day of May, 2022.

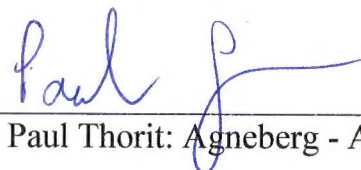
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7 Autograph: \_\_\_\_\_

8 *Michael Willis* of the Chase Family, \_\_\_\_\_

9 Seal 

10 In Propria Persona, Principal Creditor for MICHAEL WILLIS CHASE™, which is a  
11 Corporate Identity, a Legal Fiction in all uppercase, a decedent. All rights reserved.

12   
13 Steven Lee McMillan - As Witness

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15 Paul Thorit: Agneberg - As Witness  
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28 "FOR THE RECORD: DECLARED WITNESSED TESTIMONY OF *MICHAEL WILLIS* OF THE CHASE FAMILY.  
SPECIALLY AND IN GOOD FAITH SUBMITTING DOCUMENTS AND EXHIBITS ON THE RECORD IN TIMELY  
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*MICHAEL WILLIS* OF THE CHASE FAMILY"

## **EXHIBIT I**

**Western Union** **WU**

**MONEY  
ORDER**

19-387818430

**Bashas'**

(ISSUING AGENT)

A 740 380

1964

1964 380 1964 380

\$ 75.00

PAY EXACTLY SEVENTY-FIVE DOLLARS AND NO CENTS

PAY TO THE  
ORDER OF

Clerk of Superior Court Yavapai V1300CR20198066

PO. Box 4461, Sedona, Arizona [86340]

Michael Walker Chase  
PURCHASER'S SIGNATURE

\* Under Fraud, Extortion, Threat, Duress, Coercion

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MONEY ORDER RECEIPT - NON NEGOTIABLE

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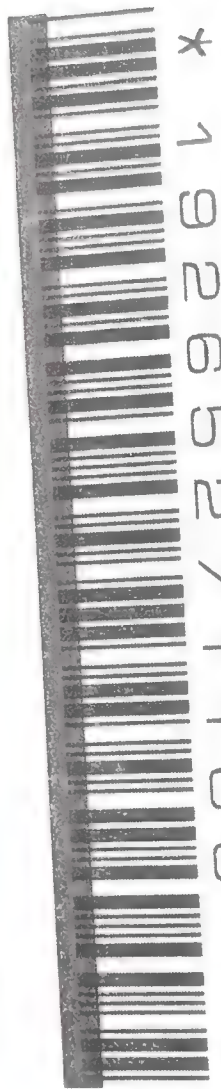
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on or replace. (1) return a valid receipt to Western Union Financial Services Inc. Englewood, Colorado 80155.  
purchase, and (2) you report the loss or theft to Western Union Financial Services Inc. Englewood, Colorado 80155.  
M.F.S. Western Union Money Order receipt issued by Western Union Financial Services Inc. Englewood, Colorado 80155.  
Serial No. 19265271106

Western Union (WU)

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW

MONEY ORDER

**Bachar's**

(ISSUING AGENT)

A 740380 D 041222  
T 1240 06  
192652711066 L 000028

\$ 75.00

19-265271106

PAY EXACTLY

SEVENTY-FIVE DOLLARS AND NO CENTS

PAY TO THE ORDER OF

Clerk of Superior Court Yavapai

V1300CR201980661

P.O. Box 4461 Sedona AZ 86340

\*Under Fraud, Extortion, Threat, Duress, Coercion

PURCHASER'S SIGNATURE

*[Signature]*

⑆102100400⑆ 40192652711066⑈

## A Caveat Against Injustice

*or, An Inquiry into the Evils of a Fluctuating Medium of Exchange,*

WHEREIN is considered, whether the Bills of Credit on the Neighboring Governments, are a legal Tender in Payment of Money, In the COLONY of CONNECTICUT for Debts due by Book, and otherwise, where the Contract Mentions only Old-Tenor Money.

by **Roger Sherman**

author of Article 1 Section 10 of the United States Constitution, "No State shall make  
any Thing but

Gold and Silver Coin a tender in Payment of Debts"

Original publication, 1752

§1 Forasmuch, as there have many Disputes arisen of late concerning the Medium of Exchange in this Colony, which have been occasioned chiefly by Reason of our having such large Quantities of Paper Bills of Credit on some of the Neighboring Governments, passing in Payments among us, and some of those Governments having issued much larger sums of Bills than were necessary to supply themselves with a competent Medium of Exchange, and not having supplied their Treasuries with any Fund for the maintaining the Credit of such Bills; they have therefore been continually depreciating and growing less in their Value, and have been the principal Means of the Depreciation of the Bills of Credit emitted by this Colony, by their passing promiscuously with them; and so have been the Occasion of Much Embarrassment and Injustice, in the Trade and Commerce of the Colony, and many People and especially Widows and Orphans have been great Sufferers thereby.

§2 But our Legislature having at length taken effectual Care to prevent further Depreciation of the Bills of this Colony, and the other Governments not having taken the prudent Care, their Bills of Credit are still sinking (1) in their Value, and have in Fact sunk much below the Value of the Bills of this Colony.

§3 Yet some People among us, by long Custom, are so far prejudiced in Favor of a sinking Medium, and others not being really sensible of the true State of the Case, are inclined to think that Bills of Credit on the neighboring Governments ought to be a legal Tender in Payments in this Colony for all Debts due by Book and otherwise where there is no special contract expressly mentioning some other Currency, and others being of a different Opinion, the Disputes have been carried on so far, as to occasion some Expense in the Law, and may be likely to occasion much more, unless prevented by those Prejudices being some way removed. And since it is a Cause wherein every one is

more or less interested, I have ventured to shew my Opinion, with a sincere Desire to have Peace and Justice maintained and promoted in the Colony. Not desiring any Person to approve of my Observations any farther than he finds them agreeable to the Principles of Justice and right Reason.

### **THE CASE STATED**

§4 Suppose a Man comes to a Trader's Shop in this Colony to buy Goods, and the Trader sells him a certain Quantity of Goods and tells him the Price is some many Pounds, Shillings and Pence, (let it be more or less) to be paid at the Expiration of one Year, from that Time, and the Man receives the Goods but there is nothing said either by Seller or Buyer, what Currency it is to be paid in, but the Goods are charged according to the Value of Bills of Credit Old Tenor on this Colony.

§5 Now I Query what the Creditor has a Right to demand for a Debt so contracted; or what the Debtor can oblige him to accept in Payment?

§6 The Creditor says, that the Debt being contracted in the Colony of Connecticut, he ought to have what is known by the Laws of said Colony to be Money: And that he has no Right to demand any thing else.

§7 The Debtor says, That Bills of Credit on the neighboring Governments have for many Years passed promiscuously with the Bills of Credit on this Colony as Money in all Payments, (except special Contracts) and that People in general where the Contracts ly at large have expected, and do still expect, that any of the Bills of Credit on any of the Governments in New-England, that have obtained a Currency in this Colony will answer in Payment, and in as much as the Creditor did not give him any Notice to the contrary, when he bought the Goods, therefore he thinks that such Bills of Credit ought to be accepted in Payment for the aforesaid Debt.

§8 And altho' there is no particular Statute in this Colony, that such Bills of Credit shall be a legal Tender in Payments of Money: Yet the Practice has been so universal for so long a Time, and the Creditor himself has both received and pass'd them as Money constantly without making Exceptions against them 'till this Debt was contracted, and for many Years all Demands on Book Debts have been for Old Tenor Money indifferently, without Distinction of Colonies, and Judgements in all Courts have been given thereon accordingly: And any of the aforesaid Bills of Credit have pass'd in Payment to satisfy all Judgements, so obtain'd and this universal Custom, the Debtor saith, ought to be esteemed as common Law and ought not without some special Reason to be set aside, and that in this Case there is nothing special; and therefore the Creditor

ought not to make Demand or obtain Judgement different from the common Custom of the Colony.

§9 In Answer to this the Creditor saith, that altho' Bills of Credit on the neighboring Governments have for a Number of Years been pass'd and received in Payments: Yet it has been only by the voluntary Consent of the Persons receiving them, and not because they were under any Obligation to receive them; and that it is no Argument that a Person shall be obliged to receive any Species where it won't answer his End, because in Time past he has received it when it would answer.

§10 And the Creditor further saith, that such Bills of Credit are of no intrinsic Value, and their Extrinsic Value is fluctuating and very uncertain, and therefore it would be unjust that any Person should be obliged to receive them in Payment as Money in this Colony, (since neither the Colony nor any of the Inhabitants thereof are under any Obligation either to Refunds said Bills or to maintain the Credit of them) for Money ought to be something of certain Value, it being that whereby other Things are to be valued. (2)

§11 And I think it is a Principle that must be granted that no Government has Right to impose on its Subjects any foreign Currency to be received in Payments as Money which is not of intrinsic Value; unless such Government will assume and undertake to secure and make Good to the Possessor of such Currency the full Value which they oblige him to receive it for. Because in so doing they would oblige Men to part with their Estates for that which is worth nothing in it self and which they don't know will ever procure him any Thing.

§12 And Rhode-Island Bills of Credit have been so far from being of certain Value and securing to the Possessor the Value that they were first stated at, that they have depreciated almost four seventh Parts in nine Years last past, as appears by their own Acts of Assembly.

§13 For in the year 1743, it appears by the Face of the Bills then emitted that Twenty-seven Shillings Old-Tenor was equal to one Ounce of Silver. And by an Act of their General Assembly pass'd in March last, they stated Fifty-four Shilling Old-Tenor Bills equal to one Ounce of Silver, which sunk their Value one half. And by another Act in June last, (viz. 1751) they stated Sixty-four Shillings in their Old-Tenor Bills equal to one Ounce of Silver. And by another Act in August last they gave Order and Direction to the Courts in that Colony to make Allowance to the Creditors in making up Judgement from Time to Time as the Bills shall depreciate for the Future, which shews that they expect their Bills of Credit to depreciate for the Future.

§14 And since the Value of The Bills of Credit depend wholly on the Rate at which they are stated and on the Credit of the Government by whom they are emitted and that being the only Reason and Foundation upon which they obtained their first Currency and by which the same has been upheld ever since their first being current and therefore when the Public Faith and Credit of such Government is violated, then the Reason upon which such Bill obtained their Currency ceases and there remains no Reason why they should be any longer current.

§15 And this I would lay down as a Principle that can't be denied that a Debtor ought not to pay any Debts with less Value than was contracted for, without the Consent or against the Will of the Creditor.

§16 And the Creditor further saith, that his accepting Rhode-Island Bills of Credit when they stood stated equal to Silver at Twenty-seven Shillings an Ounce, can be no Reason that he should receive them at the same Value when they are stated equal to Silver at Fifty-four Shillings an Ounce, and still to receive them at the same Rate when they are so reduced down that Sixty-four Shillings is equal to but one Ounce of Silver, and whoever does receive them so must not only act without, but against Reason.

§17 And the Debtor can't possibly plead without any Truth that he expected to pay in Rhode-Island Bills of Credit at their present Value and under their present Circumstances, (any Debts contracted before the aforesaid Acts of Rhode Island were published) because there was no such Thing (as those Bills are under their present Circumstances) existing at the Time of Contract, for as was observed before, the Value of such Bills of Credit depend wholly upon the Rate at which they are stated and on the Credit of the Government by whom they are emitted, and a Bill of Credit for the same Sum that is stated equal to Silver at Twenty-seven Shillings an Ounce, must be of more than double the Value of one stated equal to Silver at Sixty-four Shillings an Ounce if the Credit of the Emitter may be depended on: But if the Emitter's Credit can't be depended on then neither of the Bills aforesaid are of any Value, because it is evident that no Bills of Credit have any Value in themselves, but are given to secure something of intrinsic Value, to the Possessor.

§18 So that the Arguments draw from Custom are of no Force, because the Reasons upon which that Custom were grounded do now cease.

§19 I grant that if any Thing whose Value is intrinsical and invariable the same should obtain a Currency as a Medium of Exchange for a great Number of Years in any Colony,

it might with some Reason be urged that it ought to be accepted in Payments for Debts where there is no special Agreement for any other Species.

§20 But if what is us'd as a Medium of Exchange is fluctuating in its Value it is no better than unjust Weights and Measures, both which are condemn'd by the Laws of GOD and Man, and therefore the longest and most universal Custom could never make the Use of such a Medium either lawful or reasonable.

§21 Now suppose that Gold or Silver Coins that pass current in Payments at a certain Rate by Tale should have a considerable Part of their Weight filed or clipp'd off will any reasonable Man judge that they ought to pass for the same Value as those of full Weight?

§22 But the State of R...I...d Bills of Credit is much worse than that of Coins that are clipp'd, because what is left of those Coins is of intrinsic Value: But the General Assembly of R...I...d having depreciated their Bills of Credit have thereby violated their Promise from Time to Time, and there is just Reason to suspect their Credit for the Future for the small Value which they now promise for said Bills, and they have not only violated their Promise as to the Value, pretended to be secured to the Possessor by said Bills; but also as to the Time of calling them in and paying the same, they have lengthened out the Time Fifteen Years.

§23 So that if the Possessor must be kept out of the Use of his Money until that Term is expired (and the Bills secure nothing to him sooner.) One Ounce of Silver paid down now, would be worth more than Seven pounds Ten Shillings in such Bills of Credit computing the Interest at 6 per Cent per Annum.

§24 These Things considered, can any reasonable Man think that such Bills of Credit (or rather of no Credit) ought to be a legal Tender in Payment of Money in this Colony for Debts, for which the Debtor received Species of much more Value than those Bills provided the Creditor could get the full Value of them in Silver that they are now stated at.

§25 For it must be remembered that according to the State of the Case now in Question the Goods were charged according to the Value of Old-Tenor Bills of this Colony. Wherefore upon the whole it appears that it would be evidently unjust to impose Rhode-Island Bills of Credit in payment for such a Debt, or any other in this Colony, unless the Creditor obliged himself by a special Agreement to receive them in Payment.

§26 And if he had agreed to receive them in Payment for Debts contracted any Time between last March and June it would be unjust to oblige him to take them without three Shillings on the Pound Allowance, for the General Assembly of Rhode-Island

depreciated them so much in June below both their current and stated Value in March preceding.

§27 And to oblige People to receive them without such Allowance in this Colony; would be, to more dishonest than they are in Rhode-Island Colony for they are obliged by Law to make Allowance for the Depreciation.

§28 But in as much as we are not under the Jurisdiction of Rhode-Island Government and therefore can take no Benefit by equitable Acts, I suppose that according to the Rules of the Law, upon a Contract made in this Colony for the Payment of Bills of Credit on the Colony of Rhode-Island or any of the neighboring Governments,

§29 if the Debtor could not produce such Bills under the same Circumstances that they were at the Time of Contract, the Courts would assess Damages for Connecticut Money, according to the Value of such Bills at the Time of Contract.

§30 And the Reason is, because if on the one Hand all such Bills should be called in and burnt between the Time of Contract and the Time of Payment it would be unreasonable to oblige the Debtor to an impossibility, and on the other Hand if there should between the Time of Contract and the Time of Payment be an Act pass'd that all such Bills should be brought into the Treasurer to be redeem'd by a certain Time or else be Outlawed and rendered of no value and that Time should be expired before the Time of Payment, or if by an Act of Assembly they should be depreciated and sunk one half or two thirds of their Value, it would be unreasonable that the Creditor should be thereby defrauded of his just Due and lose so much of his Estate.

§31 But to impose Rhode-Island Bills of Credit in Payments for Debts in this Colony when the Creditor never agreed to take them, and that without any Allowance for the Depreciation, would be to take away Men's Estates and wrong them of their just and righteous Dues without either Law or Reason.

§32 And instead of having our Properties defended and secured to us by the Protection of the Government under which we live; we should be always exposed to have them taken from us by Fraud at the Pleasure of other Governments, who have no Right of Jurisdiction over us.

§33 And according to this Argument, if Rhode-Island General Assembly has been pleased last June to have stated their Old-Tenor Bills equal to Silver at Forty-eight Pounds Twelve Shillings an Ounce, instead of Sixty-four Shillings, and to have cut off the Value of them Eighteen Shillings on the Pound, instead of Three Shillings, all Creditors in this Colony would thereby have been necessitated to lose Ninety Pounds out

of every Hundred Pounds of their Debts which were then out standing, for if they could take away one Sixth Part of their Value and reduce them so much below the Old-Tenor Bills of this Colony and the Creditor be notwithstanding obliged to receive them without Allowance, by the Rule they might have taken away three Quarters of Nine Tenths or indeed the whole, and the Creditor have had no more Remedy than he has now.

§34 And the Estates of poor Widows and Orphans must according to this Principle in the same unjust Manner be taken away from them and given to others that have no Right to them, (for what the Creditor loses in this way the Debtor gains because the more the Bills of Credit depreciate the less Value the Debtor can produce them for) and according to the Debtor's Argument the Executive Courts in this Colony must give Judgement in Favour of all this Fraud and Iniquity at least, 'till there is some special Act of Assembly to order them to the contrary; but I believe that every honest Man of Common Sense, upon mature Consideration of the Circumstances of the Case, will think that this is an Iniquity not to be countenanced, but rather to be punished by the Judges.

§35 But in Answer to what is said concerning Demands being made for Old-Tenor Money indifferently and the Courts giving Judgement accordingly. The Creditor saith that Phrase in all Demands made in this Colony ought to be understood to be the Old-Tenor Money of this Colony, and no other, for there never was any Law in this Colony that Bills of Credit on the neighboring Governments should be a legal Tender in Payments of Money, and I have observed before that it would be unreasonable, that any such Foreign Currency should be imposed as Money, and the same Phrase is us'd in taxing Bills of Cost in the Executive Courts, but it is understood to be the Old-Tenor Money of this Colony only, for a Thousand Pounds in Bills of Credit on the neighboring Governments would not be sufficient in the Law to satisfy a Bill of Cost of Twenty Shillings Old-Tenor.

§36 And the General Assembly of this Colony have sufficiently declared that they don't Esteem such Bills of Credit as Money, and that no Person ought to be obliged to receive them as such. In that, they themselves will not receive them for their Wages, neither do they oblige any other Person whose Fees or Wages are stated by Law to receive them, but have made Provision how they shall be paid exclusive of such Bills.

§37 And as to the Objection that they have been received in Payment to satisfy all Judgements given as aforesaid, the Creditor faith, that it was only by the same reasons that they should be received now at the same Value as Bills of Credit on this Colony that there was formerly because it is evident that there is now a real Difference in their Values.

§38 For by a Law of the Province of the Massachusetts-Bay, their Bills of Old-Tenor are stated equal to Silver at Fifty Shillings an Ounce and Seven Shillings and Six Pence are equal to One Shilling Proclamation Money, and the Executive Courts in this Colony reckon Eight Shillings Old-Tenor Bills of this Colony equal to One Shilling Proclamation Money which is equal to Silver at Fifty-four Shillings Old-Tenor an Ounce.

§39 And by an Act of Rhode-Island General Assembly Sixty four Shillings of their Old-Tenor Bills is stated equal to one Ounce of Silver, at which Rate nine Shillings and Six pence is equal to but One Shilling Proclamation Money, whereas three Years ago the Bills of Old-Tenor on all the three Governments aforesaid were of equal Value.

§40 And since it appears, that there is such a Difference in the stated Value of the aforesaid Bills of Credit, no Man can with any Propriety be said to make them all without Distinction, a Standard to value Things by; for a Man could afford to sell any Goods or Merchandize for a less Sum in Old-Tenor Bills of the Massachusetts-Bay, than for the Old-Tenor Bills of this Colony and he could afford to sell Goods for a less Sum by 15 per Cent for the Old-Tenor Bills of this Colony, than for the Old-Tenor Bills on Rhode-Island Colony.

§41 And to say that an Accompt is charged in Old-Tenor Money indifferently of this and the neighboring Governments, is to say that 7s.-6d. and 8s. and 9s.-6.d are one and the same Sum, or that there is no Difference between Fifty and Fifty-four, or between Fifty-four and Sixty-four Q.E.D.

§42 And since it appears that it would be evidently absurd to make a Demand for old-Tenor Money indifferently of this and the neighboring Governments, it follows that all Demands made for Old-Tenor Money in this Colony must be for the Money of this Colony exclusive of the Old-Tenor of the neighboring Governments, or else for the Old-Tenor Money of some one of the other Governments exclusive of the Old-Tenor of this and the rest.

§43 And since nothing but a special Contract can intitle any Person to demand the Money of any other Government, for a Debt contracted and demanded in this Colony: It necessarily follows, that all Demands for Debts due by Book, where the Contract lyes at large must be for the Money of this Colony only.

§44 What I would be understood to mean by Old-Tenor Money of the Colony of Connecticut is, whatsoever is established by Law in said Colony to pass as, or in Lieu of Money, rated according to its Value in Old-Tenor Bills on said Colony, and I supposed

that the Words (Old-Tenor) when us'd in Contracts are universally understood to be intended only to ascertain the Value of the Sum to which they are affixed and they must be so understood when the Executive Courts tax Bills of Cost in Old-Tenor Money, for they have no Right neither do they mean to exclude Bills of the New-Tenor, or any of those Coins established by Law (to pass in Payment for Fees) from being a sufficient Tender in Payment of such Costs.

§45 And now I have gone through with what I first proposed, But perhaps some, may be ready to say, that we are sensible that it is of bad Consequence to have a fluctuating Medium of Exchange, but what can be done to Remedy it?

§46 I answer take away the Cause, and the Effect will necessarily cease.

§47 But it may be further objected, that if it were not for the Bills of Credit on the neighboring Governments, we should have no Money to Trade with, and what should we do for a Medium of Exchange? or how could we live without?

§48 To this I answer, that if that were indeed the Case, we had better die in a good Cause than live in a bad one. But I apprehend that the Case in Fact is quite the reverse, for we in this Colony are seated on a very fruitful Soil, the Product whereof, with our Labour and Industry and the Divine Blessing thereon, would sufficiently furnish us with and procure us all the Necessaries of Life and as good a Medium of Exchange as any People in the World have or can desire.

§49 But so long as we part with our most valuable Commodities for such Bills of Credit as are no Profit; but rather a Cheat, Vexation and Snare to us, and become a Medium whereby we are continually cheating and wronging one another in our Dealings and Commerce.

§50 And so long as we import so much more foreign Goods than are necessary, and keep so many Merchants and Trader employed to procure and deal them out to us: Great Part of which, we might as well make among ourselves; and another great Part of which, we had much better be without, especially the Spiritous Liquors of which vast Quantities are consumed in this Colony every Year, unnecessarily to the great Destruction of the Estates, Morals, Health and even the Lives of many of the Inhabitants.

§51 I say so long as these Things are so we shall spend great Part of our Labour and Substance for that which will not profit us.

§52 Whereas if these Things were reformed, the Provisions and other Commodities which we might have to export yearly, and which other Governments are dependent

upon us for, would procure us Gold and Silver abundantly sufficient for a Medium of Trade. And we might be as independent, flourishing and happy a Colony as any in the British Dominions.

§53 And with Submission I would humbly beg Leave to propose it to the wise Consideration of the Honorable General Assembly of this Colony; whether it would not be conducive to the welfare of the Colony to pass some act to prevent the Bills last emitted by Rhode-Island Colony from obtaining a Currency among us.

§54 And to appoint some reasonable Time (not exceeding the Term that our Bills of Credit are allowed to pass) after the Expiration of which none of the Bills of Credit on New Hampshire or Rhode-Island, shall be allowed to pass in this Colony, that so People having previous Notice thereof may order their Affairs so as to get rid of such Bills to the best Advantage that they can before the Expiration of such Term.

§55 And whether it would not be very much for the Public Good to lay a large Excise upon all Rum imported into this Colony or distilled herein, thereby effectually to restrain the excessive use thereof, which is such a growing Evil among us and is leading to almost all other Vices.

§56 And I doubt not but that if those two great Evils that have been mentioned were restrained we should soon see better Times.

FINIS

**SEE NOTES:**

103 U.S. 792, The DOLLAR means "**Lawful money**" of the United States.

U.S.C.A. Title 21, Section 411, "They shall be redeemed in **lawful money** on demand at the Treasury Department of the United States, in the city of Washington, District Columbia, or at any Federal Reserve Bank." (emphasis added)

31 U.S.C.A. 314, "The gold coins of the United States shall be one **DOLLAR** piece, which at the standard weight of 24.75 grains shall be the unit of value..." (Emphasis added)

U.S.C.A., Title 12, Section 152, "**Lawful money** shall be construed to mean **gold or silver coin of the United States**." (emphasis added)

Bouvier's Law Dictionary, 1870, Page 192, "Gold and silver coins. The **common medium of exchange in a civilized nation**."

Black's Law Dictionary, 4<sup>th</sup> Edition, Page 115, "In usual and ordinary acceptation it means gold, silver, or paper money used as circulating medium of exchange, and **DOES NOT embrace notes, bonds, evidence of debt...**Lane versus Railey, 280 Ky 319..." (emphasis added)

Black's supra, "In its strict technical sense, '**money**' means coined **metal**, usually gold or silver, upon which the government **stamp** has been impressed; it includes its value." (emphasis added)

## **EXHIBIT II**



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## Your DUNS Lookup Request for STATE OF ARIZONA

1 message

Dun & Bradstreet <DandB@click.dandb.com>  
Reply-to: Dun & Bradstreet <reply@click.dandb.com>  
To: aloha777sedona@gmail.com

Wed, May 4, 2022 at 10:20 AM



---

\$todayformat(0,MM/dd/yyyy)  
\$FIRST\_NAME\$ The Chase Family,

The following is the Dun & Bradstreet D-U-N-S® Number for **STATE OF ARIZONA**

D-U-N-S number: **072459266**

If this is YOUR COMPANY, learn how to monitor and potentially impact your Dun & Bradstreet?business credit file with [CreditBuilder?](#).

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Call **1-800-700-2733**, Monday through Friday, 8:00 AM to 6:00 PM local time  
or contact us at [Dun & Bradstreet support](#).

Please add [dandb@click.dandb.com](mailto:dandb@click.dandb.com) to your email address book to ensure delivery of our emails to your inbox.

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101 JFK Parkway, Short Hills, NJ 07078

CHAP. CCXLIX. — *An Act concerning the Rights of American Citizens in foreign States.*

July 27, 1868.

WHEREAS the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received emigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore,

Rights of  
American citi-  
zens in foreign  
states.  
Preamble.

Right of ex-  
patriation de-  
clared.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government.

Protection to  
naturalized citi-  
zens in foreign  
states.

SEC. 2. *And be it further enacted,* That all naturalized citizens of the United States, while in foreign states, shall be entitled to, and shall receive from this government, the same protection of persons and property that is accorded to native-born citizens in like situations and circumstances.

Release of citi-  
zens imprisoned  
by foreign gov-  
ernments to be  
demanded.

SEC. 3. *And be it further enacted,* That whenever it shall be made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons for such imprisonment, and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, it shall be the duty of the President to use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate such release, and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

Facts to be  
communicated  
to Congress.

APPROVED, July 27, 1868.

## Project S.A.F.E. Violation Report

Probationer Name: Michael Chase

S.A.F.E. Hearing: ☒ 1<sup>st</sup> ☐ 2<sup>nd</sup> ☐ 3<sup>rd</sup> ☐ More

Case # CR201980661

Date/Time Hearing: April 22, 2022 at 1:30PM

Available Sanctions:

☒ Community Restitution Hours

☐ Jail Time (Days) \_\_\_\_\_

10 HOURS

---

This officer alleges the probationer violated the following condition(s) of probation:

Condition #12

On April 6, 2022, the defendant was directed in writing to submit to urinalysis as instructed by Averhealth's automated telephone system. The defendant failed to submit the required urine sample on April 18, 2022. The defendant states that he is a "denizen," or a free inhabitant who is not under the authority of any government, including the State of Arizona, which he says is a "corporation."

Probationer: ☐ admits to violation

☒ denies allegation

☒ advised officer of this violation

☐ was told about this violation by this officer

Officer?

---

Sanction notes:

The defendant's extreme views appear to be the product of fanaticism and not a mental health condition.

I affirm under penalty of perjury that the foregoing is true and correct.

Dated this 19<sup>th</sup> day of April 2022.

Tai Davis  
Tai Davis, Adult Probation Officer

---

For Court Services only: Sanction given as stated above ( ) Other ( ) Describe:

Revised Sep 2014

1  
2  
3 UNITED STATES OF AMERICA, INC., spelled in all upper case, which is a  
4 NON-PROFIT Delaware Corporation Incorporation Date  
5 March 19, 1989 File No. 2193946.

6 **State of Delaware**

7 The Official Website for the First State

8 Visit the Governor General Assembly Courts Other Elected  
9 Search Delaware  
10 Division of Corporations

11 [Frequently Asked Questions](#) [View Search Results](#)

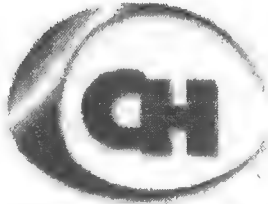
12 **Entity Details**

13 THIS IS NOT A STATEMENT OF GOOD STANDING

14 File Number 4525682 Incorporation Date 04/14/2008  
15 / Formation Date (mm/dd/yyyy)  
16 Entity Name THE UNITED STATES OF AMERICA, INC.  
17 Entity Kind CORPORATION Entity Type GENERAL  
18 Residency DOMESTIC State DE

19 **REGISTERED AGENT INFORMATION**

20 Name SPIEGEL & UTRERA, P.A.  
21 Address 9 EAST LOCKERMAN STREET SUITE 3A  
22 City DOVER County KENT  
23 State DE Postal Code 19901  
24 Phone (302)744-9800  
25  
26  
27  
28



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### Company Details

Name & Registered Office:

**THE UNITED STATES OF AMERICA LIMITED**

THE WHITE HOUSE

78 MONTGOMERY STREET

EDINBURGH

LOTHIAN

SCOTLAND

EH7 5JA

**Company No. SC380798**

**Status:** Active

**Date of Incorporation:** 22/06/2010

**Country of Origin:** United Kingdom

**Company Type:** Private Limited Company

**Nature of Business (SIC):**

9900 - Extra-territorial organisations

9999 - Dormant Company

US Corporate State "STATE OF ARIZONA", spelled in all upper case, DUN# 068300170, is listed as a private corporation with Dun and Bradstreet's credit tracking system as a private business, which is not governmental, which is not sovereign.

DUN#		DUN#	
State of Alabama	004027553	City of Birmingham	074239450
State of Alaska	078198983	City of Fairbanks	079261830
State of Arizona	068300170	City of Phoenix	030002236
State of Arkansas	619312569	City of Little Rock	065303794
State of California	071549000	City of Los Angeles	159166271
State of Colorado	076438621	City of Denver	066985480
State of Connecticut	016167285	City of Bridgeport	156280596
State of Delaware	037802962	City of Wilmington	067393900
District of Columbia	949056860	City of Washington	073010550
State of Florida	004078374	City of Miami	965299576
State of Georgia	069230183	City of Atlanta	065372500
State of Hawaii	077676997	City of Honolulu	828979612
State of Idaho	071875734	City of Boise	070017017
State of Illinois	065232498	City of Chicago	556057206
State of Indiana	071789435	City of Indianapolis	964647155
State of Iowa	828089701	City of Davenport	963855494
State of Kansas	827975009	City of Wichita	069862755

The proper name for the Republics under the Articles of Confederation was and is "Arizona", spelled in upper and lower case. It wasn't until the Constitution was ratified that these same political entities ALSO acquired an ADDITIONAL name as "State of Arizona", spelled in upper and lower case. In acts of Congress written after the Constitution was ratified, the SOVEREIGN AND LEGISLATIVELY FOREIGN STATE under the Articles of Confederation was referred to as the "Republic of Arizona", spelled in upper and lower case. These entities is where all EXCLUSIVELY PRIVATE and therefore LEGISLATIVELY FOREIGN PROPERTY is held, protected, and maintained. As EXCLUSIVELY private property, this property is NOT SUBJECT to the legislative jurisdiction of ANY government:

## **EXHIBIT III**

spectrl m  
for central  
healthcare

Appointment with

Dr. NUTZ

Day

11/1

Date

6/13

Time

11:00

If you are unable to keep this appointment, please contact us as soon as possible.

Phone: (928) 634-2236

Fax: (928) 634-8960

2880 Hopi Dr. Sedona 86336	8 E Cottonwood St Cottonwood 86326	651 W Mingus Ave. Cottonwood 86326	452 W Finnie Flat Camp Verde 86322
-------------------------------	---------------------------------------	---------------------------------------	---------------------------------------

# SPECTRUM HEALTHCARE GROUP INC

Not Enrolled

8 E Cottonwood St Cottonwood, AZ 86326-4382

Phone: (928) 634-2236 Fax: (928) 634-8960

**Michael Willis Chase** DOB: 06/29/1971 50 year old, male

PO BOX 4461

SEDONA, AZ 86340-0000

No home phone on file

Visit Date: 05/05/2022

**Race:** Declined to Specify

**Ethnicity:**

**Preferred Language:** English

**Current Allergies**

No allergies on file

**Current Medications**

Patient has no known medications

**Vitals:**

## Alcohol Abstinence Self Efficacy Scale (AASE)

Completed at -

Listed below are a number of situations that lead some people to drink alcohol and/or use drugs. We would like to know HOW CONFIDENT you are that you would NOT drink alcohol and/or use drugs in each situation. Check the number that best describes your level of confidence that you would NOT drink alcohol and/or use drugs in each situation.

How confident are you that you would NOT drink or use drugs in the following situations?

Not at all confident = 1

Not very confident = 2

Moderately Confident = 3

Very confident = 4

1 - When I am feeling depressed - 4

2 - When I am concerned about someone - 4

3 - When I am worried - 4

4 - When I have the urge to try just one drink and/or to use drugs to see what happens - 4

5 - When I want to test my will power over drinking and/or using drugs - 4

6 - When I am feeling a physical need or craving for alcohol and/or drugs - 4

7 - When I am physically tired - 4

8 - When I am experiencing some physical pain or injury - 4

9 - When I feel like blowing up because of frustration - 4

10 - When I see others drinking and/or using drugs at a bar or party - 4

11 - When people I used to drink and/or use drugs with encourage me to drink and/or use drugs - 4

12 - When I am excited or celebrating with others - 4

### Total Score / Individual Category

Negative Affect : 1, 3, 9 - 12 / 4

Social/Positive : 10, 11, 12 - 12 / 4

Physical and other Concerns : 2, 7, 8 - 12 / 4

Cravings & Urges : 4, 5, 6 - 12 / 4

Temptation Score :

Mean Overall - Sum of Total Scores from all items and divide by 12 - 4

Note has not been signed.

# SPECTRUM HEALTHCARE GROUP INC

Not Enrolled

8 E Cottonwood St Cottonwood, AZ 86326-4382

Phone: (928) 634-2236 Fax: (928) 634-8960

**Michael Willis Chase** DOB: 06/29/1971 50 year old, male

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SEDONA, AZ 86340-0000

No home phone on file

Visit Date: 05/05/2022

**Race:** Declined to Specify

**Ethnicity:**

**Preferred Language:** English

**Current Allergies**

No allergies on file

**Current Medications**

Patient has no known medications

**Vitals:**

## Drug Abstinence Self Efficacy Scale (DASE)

Completed at -

LISTED BELOW ARE A NUMBER OF SITUATIONS THAT LEAD SOME PEOPLE TO USE ILLEGAL DRUGS. WE WOULD LIKE TO KNOW HOW CONFIDENT YOU ARE THAT YOU WOULD NOT USE ILLEGAL DRUGS IN EACH SITUATION.

CHOOSE THE NUMBER THAT BEST DESCRIBES YOUR FEELINGS OF CONFIDENCE TO NOT USE ILLEGAL DRUGS IN EACH SITUATION DURING THE PAST WEEK ACCORDING TO THE FOLLOWING SCALE:

1 = Not at all confident 2 = Not very confident 3 = Moderately Confident  
4 = Very Confident 5 = Extremely Confident

**How confident are you that you would NOT drink or use drugs in the following situations?**

- 1) When I am in agony because of stopping or withdrawing from drug use - 5
- 2) When I have a headache - 5
- 3) When I am feeling depressed - 5
- 4) When I am on vacation and want to relax - 5
- 5) When I am concerned about someone - 5
- 6) When I am worried - 5
- 7) When I have the urge to use drugs to see what happens - 5
- 8) When I am being offered drugs in a social situation - 5
- 9) When I dream about using drugs - 5
- 10) When I want to test my will power over using drugs - 5
- 11) When I am feeling a physical need or craving for drugs - 5
- 12) When I am physically tired - 5
- 13) When I am experiencing some physical pain or injury - 5
- 14) When I feel like blowing up because of frustration - 5
- 15) When I see others using drugs at a bar or party - 5
- 16) When I sense everything is going wrong for me - 5
- 17) When people I used to use drugs with encourage me to use drugs - 5
- 18) When I am feeling angry inside - 5
- 19) When I experience an urge or impulse to use drugs that catches me unprepared - 5
- 20) When I am excited or celebrating with others - 5

Note has not been signed.

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CHASE,MICHAEL WILLIS - DOB: 6/29/1971  
BH - AHCCCS Required Data - 5/5/2022

### State Required Data

**08 - Number of Arrests - The number of times the Member has been arrested within the last 30 days.**

0

**18 - Military Status**

C - Retired Veteran

**Substance Use Information 1st Substance**

**1 - What is your first substance of choice (if any)?**

0001 - None

**1 - When did you first use?**

5/5/2022

**1 - When did you last use?**

**1 - Age of First Use**

00

**1 - How much did you use that last time?**

**1 - What is the frequency of use?**

1 - No use during the past month

**1 - What was your method of choice**

6 - No use during the past month

**1 - What is the most they have used in a 24 hour period?**

**1 - What are your withdrawal symptoms**

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1 - How does your use affect your physical health?

1 - Any legal involvement due to use?

1 - Any job related struggles due to use?

1 - Any personal struggles due to your use?

1 - Longest you have gone without using?

**Substance Use Information 2nd Substance**

2 - What is your second substance of choice (if any)?

000Type of Substance Used

2 - When did you first use?

2 - When did you last use?

2 - Age of First Use

2 - How much did you use that last time?

00

2 - What is the frequency of use?

1 - No use during the past month

2 - What was your method of choice

6 - No use during the past month

2 - What is the most they have used in a 24 hour period?

2 - What are your withdrawal symptoms

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**2 - How does your use affect your physical health?**

**2 - Any legal involvement due to use?**

**2 - Any job related struggles due to use?**

**2 - Any personal struggles due to your use?**

**2 - Longest you have gone without using?**

**Substance Use Information 3rd Substance**

**3 - What is your third substance of choice (if any)?**

0001 - None

**3 - When did you first use?**

**3 - When did you last use?**

**3 - Age of First Use**

00

**3 - How much did you use that last time?**

**3 - What is the frequency of use?**

1 - No use during the past month

**3 - What was your method of choice**

6 - No use during the past month

**3 - What is the most they have used in a 24 hour period?**

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**3 - What are your withdrawal symptoms**

**3 - How does your use affect your physical health?**

**3 - Any legal involvement due to use?**

**3 - Any job related struggles due to use?**

**3 - Any personal struggles due to your use?**

**3 - Longest you have gone without using?**

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CHASE, MICHAEL WILLIS - DOB: 6/29/1971  
BH - Health Risk Assessment - 5/5/2022

## Health Risk Assessment

Today's Date:  
5/5/2022

Please complete the following questions the best that you can. Your answers will not affect your Medicaid or Medicare benefits (if you have these benefits). The information will be treated with confidentiality and will help us learn more about your health needs. Information you provide may be reviewed by a care manager and may be shared with your primary care doctor, behavioral health clinic, insurance carriers, or other members of your team. Completion of this form implies that you agree to have this used for this purpose.

**We are interested in honoring your values and beliefs. Do you have any cultural preferences we should know about that may impact your health care?**

Yes

**What are your preferences?** Leviticus 19:28

**Are you a Veteran?** ☒ Yes ☐ No ☐ Decline to answer

**How would you prefer to be contacted?**

Email 5

**Please enter your contact information:**

aloha777sedona@gmail.com

**What is the highest grade or level or school that you completed?**

College graduate

**What medical conditions do you have or have you had in the past? Select all that apply.**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Allergic Rhinitis            | <input type="checkbox"/> Dementia                  | <input type="checkbox"/> Liver Disease - Mod-Severe |
| <input type="checkbox"/> Anticoagulation therapy      | <input type="checkbox"/> Depression                | <input type="checkbox"/> Malaise and Fatigue        |
| <input type="checkbox"/> Anxiety                      | <input type="checkbox"/> Diabetes                  | <input type="checkbox"/> Migraines                  |
| <input type="checkbox"/> Arthritis                    | <input type="checkbox"/> Diabetes-End Organ Damage | <input type="checkbox"/> Narcotic Use               |
| <input type="checkbox"/> Asthma                       | <input type="checkbox"/> Dialysis                  | <input type="checkbox"/> Neurologic Disease         |
| <input type="checkbox"/> Atrial Fibrillation          | <input type="checkbox"/> End Stage Renal Disease   | <input type="checkbox"/> Obesity                    |
| <input type="checkbox"/> Autoimmune Disease           | <input type="checkbox"/> Fall Risk                 | <input type="checkbox"/> Organ transplant           |
| <input type="checkbox"/> Benign prostatic Hypertrophy | <input type="checkbox"/> Gout                      | <input type="checkbox"/> Osteoporosis               |
| <input type="checkbox"/> Bipolar disorder             | <input type="checkbox"/> Headaches                 | <input type="checkbox"/> Peripheral Neuropathy      |
| <input type="checkbox"/> Cancer                       | <input type="checkbox"/> Hearing problems          | <input type="checkbox"/> Reflux Esophagitis         |

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- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Cancer-Leukemia                   | <input type="checkbox"/> Heart failure               | <input type="checkbox"/> Respiratory Problems            |
| <input type="checkbox"/> Cancer - Lymphoma                 | <input type="checkbox"/> Hepatitis                   | <input type="checkbox"/> Schizophrenia                   |
| <input type="checkbox"/> Cancer - Solid tumor (Localized)  | <input type="checkbox"/> High blood pressure         | <input type="checkbox"/> Seizures                        |
| <input type="checkbox"/> Cancer - Solid tumor (Metastatic) | <input type="checkbox"/> High cholesterol            | <input type="checkbox"/> Sleep Apnea                     |
| <input type="checkbox"/> Chronic Kidney Disease (Mod Sev)  | <input type="checkbox"/> Home Oxygen                 | <input type="checkbox"/> Sleep Problems                  |
| <input type="checkbox"/> Chronic Pain                      | <input type="checkbox"/> Hypothyroidism              | <input type="checkbox"/> Stroke                          |
| <input type="checkbox"/> COPD/emphysema                    | <input type="checkbox"/> Joint Pain                  | <input type="checkbox"/> Transient ischemia attack (TIA) |
| <input type="checkbox"/> Covid 19                          | <input type="checkbox"/> Kidney Disease - Mod-Severe | <input type="checkbox"/> Urinary Tract Infection         |
| <input type="checkbox"/> Coronary heart disease            | <input type="checkbox"/> Kidney failure              | <input type="checkbox"/> Vision problems                 |
| <input type="checkbox"/> CVA with Hemiplegia               | <input type="checkbox"/> Liver Disease- Mild         |  |
| <input type="checkbox"/> Other                             | <input type="checkbox"/> Decline to answer           | <input checked="" type="checkbox"/> None                 |

**Are there any other medical conditions that you had in the past 5 years?**

No

**What were your past medical conditions?**

Cold

**When did you have these past medical conditions?**

10 Months Ago

**Do you take prescribed medications?**

No

**List your medications and their doses and schedules:**

Arizona Medical Marijuana

**Please list any other medicines that you took in the past 5 years, what they were for and what the outcome was:**

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None

Are you compliant with your prescribed medications?

Yes

Why are you non-compliant with your prescribed medications?

## Physical Activity

In the past 7 days, how many days did you exercise? 7

On the days when you exercised, for how long did you exercise (in minutes)?

60

Minutes per Day

☐ Not applicable / No exercise

How intense was your typical exercise? Moderate (like brisk walking)

Are you interested in being more physically active? Not interested

## Tobacco / Alcohol / Drug Use

In the last 30 days, have you used tobacco?

Smoked: No

Smokeless tobacco: No

Would you be interested in quitting tobacco use within the next month?

In the past 7 days, on how many days did you drink alcohol? Zero

On days when you drank alcohol, how often  
did you have 4 or more drinks on one  
occasion?

Never

Do you ever drive after drinking or ride with a  
driver who has been drinking?

No

Have you used any illegal drugs or prescription drugs for non-medical reasons?

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No`2

## **Nutrition**

**In the past 7 days, how many servings of fruit and vegetables did you typically eat each day?**

(1 serving = 1 cup of fresh vegetables, 1/2 cup of cooked vegetables, or 1 medium piece of fruit. 1 cup = size of a baseball) 21  
Servings per day

**In the past 7 days, how many servings of high fiber or whole grain foods did you typically eat each day?**

(1 serving = 1 slice of 100% whole wheat bread, 1 cup of whole grain or high-fiber ready-to-eat cereal, 1/2 cup of cooked cereal such as oatmeal, or 1/2 cup of cooked brown rice or whole wheat pasta) 14  
Servings per day

**In the past 7 days, how many servings of fried or high-fat foods did you typically eat each day?**

(examples include: fried chicken, fried fish, bacon, French fries, potato chips, corn chips, doughnuts, creamy salad dressings, and foods made with whole milk, cream, cheese, or mayonnaise) Zero  
Servings per day

**In the past 7 days, how many sugar-sweetened (not diet) beverages did you typically consume each day?** Zero  
beverages per day

**Do you want to change your eating habits to be more healthy?** Not interested

## **Depression**

**Have your feelings caused you distress or interfered with your ability to get along socially with family or friends?**

No

**Are you actively seeing a behavioral health provider?**

No

**In the past few weeks, have you wished you were dead?**

No

**In the past few weeks, have you felt that you or your family would be better off if you were dead?**

No

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**In the past week, have you been having thoughts about killing yourself?**

No

**Have you ever tried to kill yourself?**

**If yes, how and when?**

No

### **Suicide Prevention Hotline Information:**

**24/7 National Suicide Prevention Lifeline 1-800-273-TALK (8255) En Español: 1-888-628-9454**

**24/7 Crisis Text Line: Text "HOME" to 741-741**

### **High Stress**

**How often is stress a problem for you in handling such things as:**

**Your health?**

Never or rarely`1

**Your finances?**

Never or rarely`1

**Your family or social relationships?**

Never or rarely`1

**Your work?**

Never or rarely`1

**How often do you get the social and emotional support you need?**

Always`5

### **Pain**

**In the past 7 days, how much pain have you felt? (Scale 0-10)**

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None (0)

**Describe the pain and where it is located:**

None

## General Health

**In general, would you say your health is:**

Good

**How would you describe the condition of your mouth and teeth - including false teeth and dentures?**

Very good

**How confident are you filling out medical forms by yourself?**

Extremely

**Are you currently pregnant?**

Not applicable`4

**In the past 7 days, did you need help from others to perform everyday activities such as:**

- |   |                                     |   |
|---|-------------------------------------|---|
| <input type="checkbox"/> Eating                                 | <input type="checkbox"/> Grooming   | <input type="checkbox"/> Bathing  |
| <input type="checkbox"/> Using toilet                           | <input type="checkbox"/> Dressing   | <input type="checkbox"/> Walking  |
| <input type="checkbox"/> Decline to answer                      | <input type="checkbox"/> Continence | <input type="checkbox"/> Getting in and out of bed, chair, or wheel chair |
| <input checked="" type="checkbox"/> None. Don't need assistance |                                     |   |

**In the past 7 days, did you need help from others to take care of things such as:**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Laundry                                | <input type="checkbox"/> Banking        | <input type="checkbox"/> Using the telephone     |
| <input type="checkbox"/> Food preparation                       | <input type="checkbox"/> Transportation | <input type="checkbox"/> Taking your medications |
| <input type="checkbox"/> Housekeeping                           | <input type="checkbox"/> Shopping       | <input type="checkbox"/> Decline to answer       |
| <input checked="" type="checkbox"/> None. Don't Need Assistance |   |  |

**Do you use protection such as condoms during sex?**

Decline to answer

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**Do you take medications for a sexually  
transmitted disease?**  
No`2

**If yes, what medications do you take?**

## **Social and Other Needs**

**Within the past 12 months, did you worry that your food would run out before you got money to buy more?**  
No`2

**Within the past 12 months, did the food you bought just not last and you didn't have money to get more?**  
No`2

**Do you have housing?**  
Yes`1

**Are you worried about losing your housing?**  
No`2

**Within the past 12 months, have you or your family members you live with been unable to get utilities (heat, electricity) when it was really needed?**  
No`2

**During the past 4 weeks, has your health impacted your ability to work or caused you to be absent from activities you enjoy?**  
No`2

**Within the past 12 months, has lack of transportation kept you from medical appointments, getting your medicines, non-medical meetings or appointments, work, or from getting things that you need?**  
No`2

**Do you feel physically and emotionally safe where you currently live?**

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Yes`1

**Within the past 12 months, have you been hit, slapped, kicked or otherwise physically hurt by someone?**

No`2

**Within the past 12 months, have you been humiliated or emotionally abused in other ways by your partner or ex-partner?**

No`2

**Do you always fasten your seat belt when you are in the car?**

Yes`1

**Each night, how many hours of sleep do you usually get?**

8-10

**Do you snore or has anyone told you that you snore?**

No`2

**In the past 7 days, how often have you felt sleepy during the daytime?**

Never

**If your blood pressure was checked within the past year, what was it when it was last checked?**

Decline to answer

**If your cholesterol was checked within the past year, what was your total cholesterol when it was last checked?**

Don't know / not sure

**If your glucose was checked, what was your fasting blood glucose (blood sugar) level the last time it was checked?**

Don't know / not sure

**If diabetic, and you have had your hemoglobin A1c level checked in the past year, what was it the last time you had it checked?**

Don't know / not sure

**What is your height?**

6'1"

**What is your weight?**

189 pounds

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Do you want to work on getting to a healthy weight?

I'm already at a healthy weight

## Your Health Care in the Last 6 Months

What is the name of your Primary Care Physician or Clinic (if you have one)?

The Creator (God)

Using any number from 0 to 10, where 0 is the worst and 10 is the best, what number would you use to rate your Primary Care Physician or Clinic?

10'10

Please list any other specialists you see regularly:

Dentist Westerville's Sedona

What is the name of your Behavioral Health Home or Clinic (if you have one)?

N/A

Using any number from 0 to 10, where 0 is the worst and 10 is the best, what number would you use to rate your Behavioral Health Home or Clinic?

N/A

In the past 6 months, how many times did you visit the Emergency Room?

None

In the past 6 months, how many times did you have to stay overnight (one or more nights) at any hospital?

None

Have you had any past hospitalizations or major procedures, like surgery in the past 5 years?

Yes'1

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**What were your hospitalizations/procedures, and what were they for?**  
Assaulted

**When were these past hospitalizations/procedures?**

3 Years Ago

**When was the last time you had a breast  
cancer screening (mammogram)?**

Never

**When was the last time you had a colorectal  
cancer screening (colonoscopy, sigmoidoscopy,  
or FIT test)?**

Decline to answer

**When was the last time you had a cervical  
cancer screening (PAP smear)?**

Never

**When was the last time you had a pneumonia  
vaccine?**

Never

**Have you had a flu shot this year or are you  
planning to receive one this year?**

No

**Have you had a COVID vaccination?**

No`2

**Have you had Monoclonal antibody treatment? (only administered if positive for COVID-19)**

No`2

**Do you have an Advanced Directive?**

No`2

**Which type?**

**Do you have any specific health concerns your health plan team can assist with? Interdisciplinary  
Care Team (ICT) is an important component of your integrated care program. The ICT can consist of  
you, your provider, other specialist, care manager, family members, medical director, and behavioral  
health professionals as needed to develop your care plan. Would you like to participate in the ICT?**

No`2

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CHASE,MICHAEL WILLIS - DOB: 6/29/1971  
GAD7 - 5/5/2022

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### **GAD - 7 Anxiety**

Over the last 2 weeks, how often have you been bothered by the following problems?

**1. Feeling nervous, anxious or on edge**

Not At All

**2. Not being able to stop or control worrying**

Not At All

**3. Worrying too much about different things**

Not At All

**4. Trouble relaxing**

Not At All

**5. Being so restless that it is hard to sit still**

Not At All

**6. Becoming easily annoyed or irritable**

Not At All

**7. Feeling afraid as if something awful might happen**

Not At All

**Total Score**

0

All seven questions needs to be answered for the score  
to be valid

The score is calculated by assigning 0, 1, 2, and 3, to the response categories of "not at all," "several days," "more than half the days," and "nearly every day," respectively. GAD-7 total score for the seven items ranges from 0 to 21.

### **Score Intepretation**

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GAD7 - 5/5/2022

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**>= 10 - Probable Diagnosis of GAD; confirm by further evaluation**  
**0 through 5 - Mild Anxiety**

**6 through 10 - Moderate Anxiety**

**11 through 15 - Severe Anxiety**

**If you checked off any problems, how difficult have these problems made it for you to do your work, take care of things at home, or get along with people?**

The GAD-7 originates from Spitzer RL, Kroenke K, Williams JB, et al; A brief measure for assessing generalized anxiety disorder: the GAD-7. Arch Intern Med. 2006 May 22;166(10):1092-7. GAD-7

✓ For Admin Tracking purpose

5/5/2022 12:22 PM

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CHASE, MICHAEL WILLIS - DOB: 6/29/1971  
PHQ9 - 5/5/2022

## PHQ-9

Over the last 2 weeks...

How often have you been bothered by any of the following problems?

0 - Not At All , 1 - Several Days , 2 - More than half the days , 3 - Nearly every day

- |  |   |
|--|---|
| 1. Little interest or pleasure in doing things   | 0 |
| 2. Feeling down, depressed or hopeless   | 0 |
| 3. Trouble falling or staying asleep, or sleeping too much   | 0 |
| 4. Feeling tired or having little energy   | 0 |
| 5. Poor appetite or overeating   | 0 |
| 6. Feeling bad about yourself... or that you are a failure... or have let yourself or your family down   | 0 |
| 7. Trouble concentrating on things. Such as reading the newspaper or watching television   | 0 |
| 8. Moving or speaking so slowly that other people could have noticed. Or the opposite... being so fidgety or restless that you have been moving around a lot more than usual | 0 |
| 9. Thoughts that you would be better off dead, or thoughts of hurting yourself in some way   | 0 |

**TOTAL: 0**

10. If you checked any problems... How difficult have these problems made it for you to do your work, take care of things at home or get along with other people?

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PHQ9 - 5/5/2022

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✓ for admin tracking purposes

5/5/2022 12:22 PM

## **EXHIBIT IV**

SUPERIOR COURT OF ARIZONA  
YAVAPAI COUNTY  
JUDGMENT OF GUILT AND SENTENCE

FILED	
Date: <u>March 7, 2022</u>	
5	o'clock P.M.
Donna McQuality, Clerk	
By: <u>M. Greenwood</u>	
Deputy	

2 MARCH 7, 2022  
Div. Date

JOHN D. NAPPER  
Judge

M. GREENWOOD  
Deputy Clerk

V1300CR201980661

STATE OF ARIZONA

Yavapai County Attorney  
by: GLEN ASAY

VS

MICHAEL WILLIS CHASE  
AKA        [D-1]  
DOB 06-29-1971  
Victim Case YES

NATHAN BEST  
Advisory Counsel  
FTR GOLD  
Court Reporter  
LISA CHANEY  
Interpreter

START TIME: 11:06 a.m.

END TIME: 11:32 a.m.

**SENTENCE – PROBATION [Minute Entry: Sentencing]**

IT IS THE JUDGMENT of the Court that Defendant is guilty of the nondangerous, nonrepetitive crime(s) of:

**Count 1 (As Amended) – Attempted Misconduct Involving Simulated Explosive Devices, a Class 6 Undesignated Felony, in violation of A.R.S. §§ 13-1001, 13-3110(A), 701, 702 and 801, committed on or about November 21, 2019**

**Count 2 (As Amended) – Criminal Damage, a Class 6 Undesignated Felony, in violation of A.R.S. §§ 13-1602(A)(1), 701, 702 and 801, committed on or about November 21, 2019**

**Count 4 – Resisting Arrest, a Class 1 Misdemeanor, in violation of A.R.S. §§ 13-2508(A)(3), 707 and 802, committed on or about November 21, 2019**

**Count 5 (As Amended) – Disorderly Conduct, a Class 1 Misdemeanor, in violation of A.R.S. §§ 13-2904(A)(1), 707 and 802, committed on or about November 21, 2019**

<input checked="" type="checkbox"/> County Atty (e)	<input type="checkbox"/> Pretrial Services (e)	<input checked="" type="checkbox"/> Def Atty. <i>In Pro Per</i> – PO Box 4461, Sedona, AZ 86340
<input type="checkbox"/> AG(e)		<input checked="" type="checkbox"/> PD (e) – courtesy copy
<input checked="" type="checkbox"/> VS (e)		<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> APD (e)	<input type="checkbox"/> DOC (packet)	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> YCSO (e)	<input type="checkbox"/> YCSO (cert)	<input type="checkbox"/> Homeland Security (packet)
<input checked="" type="checkbox"/> Financial Services (e)		<input checked="" type="checkbox"/> Div. 2 (e)
<input type="checkbox"/> YCSO-SOCU (e-mail)		
(Dispo Screen Complete <input checked="" type="checkbox"/> )		
(Dispo Report Complete <input checked="" type="checkbox"/> )		

TOTAL 1      sen-pro      12/31/2019

V1300CR201980661  
STATE V MICHAEL WILLIS CHASE  
SENTENCE OF PROBATION  
DATE: MARCH 7, 2022

The basis of the finding of guilt was by:

- ☒ Plea of guilty/no contest; after a knowing, voluntary and intelligent waiver of all pertinent rights.

Sentence is suspended and Defendant is placed on **supervised probation** for a period of 2 YEARS as to Count 1, 2, 4 and 5 commencing this date.

**SENTENCES OF PROBATION SHALL RUN CONCURRENTLY TO ONE ANOTHER OR AT THE SAME TIME.**

Defendant shall:

- ☒ Be incarcerated in the Yavapai County Jail for 308 DAYS commencing THIS DATE.  
Credit for time served: 308 DAYS
- ☒ Be incarcerated in the Yavapai County Jail for 120 DAYS commencing upon written request of the Adult Probation Department and further order of the court.  
Credit for time served: 0 DAYS

Defendant shall pay the following financial obligations through the Clerk of the Superior Court in Yavapai County this date or as follows:

- ☒ **Restitution** in the total amount of \$3,713.
- ☒ **Fine** of \$750 plus surcharge of 78 percent.
- ☒ **Probation Services Fee** of \$50 per month commencing April 11, 2022.
- ☐ Pursuant to A.R.S. § 12-116(A), a Time Payment fee of \$20 shall be assessed in addition to any Court Ordered Drug fines and fees, DUI fines and fees or Restitution if not paid in full this date.
- ☒ Pursuant to A.R.S. § 12-116.09(A), a Victim Rights Enforcement Assessment of \$2 shall be assessed on every fine, penalty and forfeiture imposed.
- ☒ Pursuant to A.R.S. §12-114.01, a Probation Surcharge of \$20 shall be assessed.
- ☐ Pursuant to A.R.S. §13-804F, restitution shall be joint and several, with any Co-Defendant(s) and shall be reduced by any amounts paid by the Co-Defendant(s).
- ☒ Pursuant to A.R.S. §12-116.04, a penalty assessment of \$13 shall be levied.

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STATE V MICHAEL WILLIS CHASE  
SENTENCE OF PROBATION  
DATE: MARCH 7, 2022

- ☐ Pursuant to A.R.S. §12-116.06, an assessment of \$50 shall be levied.
- ☐ Pursuant to A.R.S. § 12-116.08(A), a Victim Rights Assessment of \$9 shall be assessed on every fine, penalty and forfeiture imposed.
- ☐ Pursuant to A.R.S. § 12-116.10(A), a \$4 Peace Officer Training Equipment Fund shall be assessed on every fine, penalty and forfeiture imposed for a violation of the motor vehicle statutes (Title 28).

Financial Obligations in minimum monthly payments of \$25 (exclusive of Probation Services Fee) beginning April 11, 2022.

Defendant shall comply with all other special conditions of probation set forth in the Conditions of Probation signed by the Court and provided to Defendant.

Defendant is provided written Notice of Rights of Post-Conviction Relief.

GRANTED: State's Motion to Dismiss the matters set forth in the Plea Agreement for dismissal.

☒ Any Bond not previously forfeited or pending forfeiture proceedings is exonerated. [AE]

☒ The Court has received and read the Motion to Withdraw from the Plea Agreement, the transcripts that were attached to the Motion, the Response to the Motion filed by the State, and the filing of a Judicial Complaint with the Judicial Commission. The Court also received and read the Motion to Strike filed by the State.

IT IS ORDERED *denying* the Motion to Strike and the Motion to Withdraw from the Plea Agreement.

☒ Defendant shall provide his fingerprint within 60 days of today's date. The Court advises the Defendant that should he fail to provide his fingerprint within 60 days, he will be in violation of his probation.

☒ Mental Health terms of probation apply.

V1300CR201980661  
STATE V MICHAEL WILLIS CHASE  
SENTENCING

[ X ] Any Bond not previously forfeited or pending forfeiture proceedings is exonerated. [AE]

Defendant's fingerprint is permanently affixed to this Sentencing Order in open Court.

  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

Right Index Finger  
[ Under Fraud, Threat, ]  
Extortion, Duress,  
Coercion.



[  
Fingerprint  
refusal  
]

## **EXHIBIT V**

## Article 1, Section 8, Clause 4

### Document 15

Saint George Tucker, *Blackstone's Commentaries* 1:App. 184--85, 254--59; 2:App. 90--103

1803

1. Congress being authorized to establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States, it may well be questioned how far the states can possess any concurrent authority, on these subjects.

If, however, a doubt should arise respecting the former, **it might be presumed**, that the rights intended to be conferred by this uniform rule of naturalization, should be, in general, confined to such as might be derived from the federal government, without infringing those rights which peculiarly appertain to the states. Thus a person naturalized pursuant to the laws of the United States, would undoubtedly acquire every right that any other citizen possesses, as a citizen of the United States, except such as the constitution expressly denies, or defers the enjoyment of; and such as the constitution or laws of the individual states require on the part of those who are candidates for office under the authority of the states. Five years residence, for example, is required by the laws of Virginia, before any naturalized foreigner is capable of being elected to any office under the state. It is presumable that his being naturalized under the laws of the United States would not supersede the necessity of this qualification.

. . . . .

4. Congress have power to establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States.

As to the former of these powers; by the first articles of confederation and perpetual union between the states, it was agreed, that the **free inhabitants** of each state, paupers, vagabonds, and fugitives from justice excepted, should **be entitled to all privileges and immunities of free citizens** in the several states; and the people of each state shall, in every other, enjoy all the privileges of trade and commerce, &c. The dissimilarity of the rules of naturalization in the several states, had long been remarked as a fault in the system, and, as combined with this article in the confederation, laid a foundation for intricate and delicate questions. It seems to be a construction scarcely avoidable, that those who come under the denomination of free inhabitants of a state, (although not citizens of such state), were entitled in every other state to all the privileges of free citizens of the latter, that is, to greater privileges than they may be entitled to in their

own state: our free negroes, for example, though not entitled to the right of suffrage in Virginia, might, by removing into another state, acquire that right there; and persons of the same description, removing from any other state, into this, might be supposed to acquire the same right here, in virtue of that article, though native-born negroes are undoubtedly incapable of it under our constitution: so that every state was laid under the necessity, not only to confer the rights of citizenship in other states, upon any whom it might admit to such rights within itself, but upon any whom it might allow to become *inhabitants* within its jurisdiction. But were an exposition of the term "**inhabitants**" to be admitted, which would confine the stipulated privileges to citizens alone, the difficulty would not be removed. The very improper power would still have been retained by each state, of naturalizing in every other state. In one state, residence for a short time conferred all the rights of citizenship; in another, qualifications of greater importance were required: **an alien**, therefore, legally incapacitated for certain rights in the latter, might, by previous residence only in the former, elude his incapacity; and thus the law of one state, be preposterously rendered paramount to the law of another, within the jurisdiction of such other. By the laws of several states, certain descriptions of **aliens**, who had rendered themselves obnoxious, and other persons whose conduct had rendered them liable to the highest penalties of the law, were laid under interdicts inconsistent, not only with the rights of citizenship, but with the privileges of residence, beyond the short period allowed by the **treaty of peace** with Great Britain. We owe it to mere casualty, that very serious embarrassments on this subject have not occurred. The constitution, and the several acts of naturalization passed by congress, have therefore wisely provided against them by this article, and by an explicit declaration contained in the law, that no person heretofore proscribed by any state, shall be admitted a citizen, except by an act of the legislature of the state in which such person was proscribed.

The **federal court**, consisting of **judges Wilson and Blair**, of the **supreme court**, and **judge Peters**, district judge in Pennsylvania, at a **circuit court** held for the **district of Pennsylvania**, in **April, 1792**; decided,

*"that the states, individually, still enjoy a concurrent jurisdiction upon the subject of naturalization: but that their individual authority cannot be exercised so as to contravene the rule established by the authority of the union: the true reason for investing congress with the power of naturalization (said the court,) was to guard against too narrow, instead of too liberal a mode of conferring the right of citizenship. Thus the individual states cannot exclude those citizens, who have been adopted by*

*the United States; but they can adopt citizens upon easier terms, than those which congress may deem it expedient to impose."*

But this decision seems to have been afterwards doubted by judge Iredel, 2 Dallas, 373. And the act of 5 cong. c. 71. declares, that

*"no alien shall be admitted to become a citizen of the United States, or of any state, unless in the manner prescribed by that act."*

And by a subsequent act, passed 7 cong. chapter 28, it is also declared, that any **alien**, being a **free white person**, may become a citizen of the United States, or any of them, on the conditions therein mentioned, **"and not otherwise."** These legislative expositions of the constitution do not accord with the judicial opinion above-mentioned. A very respectable political writer makes the following pertinent remarks upon this subject.

*"Prior to the adoption of the constitution, the people inhabiting the different states might be divided into two classes: natural born citizens, or those born within the state, and aliens, or such as were born out of it. The first, by their birth-right, became entitled to all the privileges of citizens; the second, were entitled to none, but such as were held out and given by the laws of the respective states prior to their emigration. In the states of Kentucky and Virginia, the privileges of alien friends depended upon the constitution of each state, the acts of their respective legislatures, and the common law; by these they were considered, according to the time of their residence, and their having complied with certain requisitions pointed out by these laws, either as denizens, or naturalized citizens. As denizens, they were placed in a kind of middle state between aliens and natural born citizens; by naturalization, they were put exactly in the same condition that they would have been, if they had been born within the state, except so far as was specially excepted by the laws of each state. The common law has affixed such distinct and appropriate ideas to the terms denization, and naturalization, that they can not be confounded together, or mistaken for each other in any legal transaction whatever. They are so absolutely distinct in their natures, that in England the rights they convey, can not both be given by the same power; the king can make denizens, by his grant, or letters patent, but nothing but an act of parliament can make a naturalized subject. This was the legal state of this subject in Virginia, when the federal constitution was adopted; it*

*declares that congress shall have power to establish an uniform rule of naturalization; throughout the United States; but it also further declares, that the powers not delegated by the constitution to the U. States, nor prohibited by it to the states, are reserved to the states, respectively or to the people. The power of naturalization, and not that of denization, being delegated to congress, and the power of denization not being prohibited to the states by the constitution, that power ought not to be considered as given to congress, but, on the contrary, as being reserved to the states. And as the right of denization did not make a citizen of an alien, but only placed him in a middle state, between the two, giving him local privileges only, which he was so far from being entitled to carry with him into another state, that he lost them by removing from the state giving them, the inconveniences which might result from the indirect communication of the rights of naturalized citizens, by different modes of naturalization prevailing in the several states, could not be apprehended. It might therefore have been extremely impolitic in the states to have surrendered the right of denization, as well as that of naturalization to the federal government, inasmuch as it might have operated to discourage migration to those states, which have lands to dispose of, and settle; since, it might be a disagreeable alternative to the states, either to permit aliens to hold lands within their territory, or to exclude all who have not yet completed their probationary residence within the U. States, so as to become naturalized citizens, from purchasing, or holding lands, until they should have acquired all other rights appertaining to that character."*

Here, another question presents itself: if the states, individually, possess the right of making **denizens of aliens**, can a person so made a **denizen** of a particular state, hold an office under the authority of such state? And I think it un-questionable that each state hath an absolute, and uncontrollable power over this subject, if disposed to exercise it. **For every state must be presumed to be the exclusive judge of the qualifications of it's own officers and servants:** for this is a part of their **sovereignty** which they can not be supposed to have intended ever to give up. And if there be nothing in their constitutions, respectively, to the contrary, the legislature may unquestionably, by a general law, limit, or extend such qualifications, so far as they may think proper. The law of Virginia declares,

*"that all persons other than alien enemies, who shall migrate into this state, and give satisfactory proof by oath or affirmation that they intend*

*to reside therein, and take the legal oath of fidelity to the commonwealth shall be entitled to all the rights, privileges and advantages of citizens, except that they shall not be capable of election or appointment to any office, legislative, executive or judiciary, until an actual residence in the state for five years thereafter; nor until they shall have evinced a permanent attachment to the state, by intermarrying with a citizen thereof, or of some one of the United States, or purchased lands of the value of three hundred dollars therein."*

Now although the **act of congress** may operate to repeal this act, so far as relates to the **rights of naturalization**, or, a state of perfect citizenship, under the constitution and laws of the union; yet, as it respects the rights which the state hath power to grant, such as **holding lands**, or an **office under the sole, and distinct authority of the state**, I see no reason to doubt that the law is as valid at this day, as it was before the adoption of the constitution of the United States.

The periods of residence, required by the several **acts of congress** before an **alien** can be **admitted a citizen**, have been various. The **act of 1 congress, 2 session, c. 3**, required **two years only**: this period was increased to **five years**, by the **act of 3 congress, c. 85**, which was still further extended to **fourteen years**, by the **act of 5 congress, c. 71**, but the **act of 7 cong., c. 28**. has reduced it to **five years**, again. Any **alien** who shall have **borne any hereditary title**; or been of **any order of nobility**, in any other state, **must renounce the same, on oath, at the time of his admission to take the oath of a citizen**. A wise provision, the benefit of which it is to be hoped, may reach to the latest posterity.

.....

*"It is a principle of universal law, that the natural born subject of one prince cannot by any act of his own, no, not by swearing allegiance to another, put off, or discharge his natural allegiance to the former."*

Blacks. Com. Vol. I. p. 369.

The positive, and un-qualified manner in which the learned commentator advances this to be *a principle of universal law*, would induce a supposition; that it is a point in which *all the writers on the law of nature and nations are perfectly agreed*. As my researches have led me to adopt a very different, or, rather, opposite conclusion, it will be the business of this note to examine the subject.

If it be contended that this is *a principle of the divine law*, I should wish to be informed in which of the *books of the old, or new testament it is to be found*. The family of the patriarch Jacob voluntarily became subjects to the Egyptian monarch. . . . And four hundred years afterwards, Moses, their prophet, and deliverer, voluntarily abandoned Egypt, his native country, and dwelt among the Midianites; and then he, with the whole of the descendants of Jacob voluntarily departed out of Egypt, under the immediate protection and guidance of Jehovah, himself. . . . David also, the man after God's own heart, abandoned his natural liege lord Saul, and went and dwelt with Achish, king of Gath; and even marched in his army against his native country, and liege lord, until the jealousy of the lords of the Philistines obliged him to turn back. I can not therefore believe that the divine law contains in it any such principle.

Neither can I well conceive how this can be considered as a principle of the law of nature; for according to that law, **all men are equal. One man therefore can not owe allegiance to another, in virtue of that law; since there is neither prince nor subject among men according to the principles of it.**

Nor yet does this appear to be a principle of the law of nations, though perhaps it may have been the practice of particular nations to prohibit their subjects from migrating to any other: but in this case the prohibition arises from the particular law of the state, and not from the general law and practice of nations towards each other. **The law of Solon, which prohibited the Athenians from admitting any person into their commonwealth**, except such as were condemned to perpetual banishment from their own country, or else such as removed their whole families to Athens for the convenience of trade, and employment of the arts they professed, was not made so much to keep out foreigners, as to invite them to settle at Athens, by giving them assurance of incorporating them in the body of the **commonwealth**. . . . For he made no doubt, says Plutarch, but both these sorts of people would make very good subjects, the one because they voluntarily quitted, and the other, because they were forced out of their own country. **Plato says that, at Athens it was lawful for every private man**, after he had **examined the laws and customs of the republic**, if he did not approve of them, to quit the city, and retire where he pleased with his effects. By the **constitution of the Roman commonwealth**, **no citizen could forced to leave the commonwealth**, or if he pleased, **not to leave it**, when he was made a member of another which he preferred to it. And therefore **Cicero** says, that a little before his remembrance, several **citizens of Rome**, men of **credit and fortunes**, voluntarily left that, and settled themselves in other **commonwealths**. And the way, says he, lies open from every state to ours, and from ours to every other. This right he extols in the most emphatic manner.

*"What noble rights! which by the blessing of heaven have been enjoyed by us and our ancestors, ever since the Roman state begun, that none of us should be forced to leave our country, or stay in it against our wills. This is the immovable foundation of our liberty, that every man is master of his right, and may keep it or resign it, as he pleases."*

These instances, which are cited by **Puffendorf**, on this subject, prove at least that this principle was **neither to be found in the Athenian or Roman institutions**.

The practice among more modern nations is various: among the Muscovites, emigration is not permitted. The citizens of Neufchatel and Valengen, in Switzerland, **may quit the country, and carry off their effects in what manner they please**; a citizen of Bern may, if he pleases, remove to Fribourg, and reciprocally, a citizen of Fribourg may go and settle in Bern, and he has a right to take all his effects with him. On the other hand it appears from several historical facts, particularly in the history of Switzerland and the neighbouring countries, that the law of nations established there by custom, for some ages past, does not permit a state to receive the subjects of another state into the number of its citizens. This vicious custom, says Vattel, had no other foundation than the slavery to which the people were then reduced. A prince considered his subjects in the rank of his property and riches; he calculated their numbers, as he did his flocks; and to the disgrace of human nature this strange abuse is not yet every where destroyed.

Although Grotius denies that emigrants ought to leave the state in troops or large companies, (an opinion which is controverted by Puffendorf, and Burlamaqui), **yet he allows the case to be quite different when a single person leaves his country**; it is one thing, says he, to draw water out of a river, and another to divert the course of a part of that river. And Puffendorf expressly says, where there are no laws about the matter (for the laws of different countries differ in this respect), we must be determined by customs arising from the nature of civil subjection. What custom admits of, every subject is supposed at liberty to use. But if this gives no light to the matter, and the compact of subjection makes no mention of it; **it must be presumed** that every man reserves to himself the liberty to remove at discretion. **For when a man enters into a commonwealth, it cannot be supposed that he gives up all care of himself and his fortunes, but rather that by so doing he takes the best expedient to defend and secure both**. But because it often happens that the **nature of the government does not** suit with every **private man's circumstances**, or he thinks, at least, he can make his fortune with more advantage elsewhere; and since it would be un-reasonable to reform and make alterations in the commonwealth at the desire, and **for the benefit of only a**

**few private subjects, the only method left is, to give them leave to remove and provide for themselves where they think best. Burlamaqui scruples not to adopt the opinion of Puffendorf, altogether. So that we have the opinion of these four jurists that every man hath a natural right to migrate from one state to another, and that this right can only be restrained under special circumstances, by the state to which he belongs, without imposing upon him an un-warrantable slavery.**

Mr. Locke, in his essay on civil government seems to have examined thoroughly the foundation of this pretended right in governments to prohibit the emigration of their subjects, or citizens. **There are no examples, says he, so frequent in history, both sacred and profane, as those of men withdrawing themselves, and their obedience from the jurisdiction they were born under, and the family or community they were bred up in, and setting up new governments in other places:** this has been the practice of the world, from its first beginning to this day; nor is it now any more hindrance to the **freedom of mankind**, that they are born under constituted and antient polities, that have established laws, and set forms of government, than if they were born in the woods, among the un-confined inhabitants that run loose in them. For those who would persuade us, that by being born under any government, we are naturally subjects to it, and have no more any title, or pretense, to the freedom of the state of nature, have no other reason (bating that of paternal power) to produce for it, but only because our fathers, or progenitors passed away their natural liberty, and thereby bound up themselves and their posterity to a perpetual subjection to the government, which they themselves submitted to. **'Tis true, that whatever engagements, or promises, any one has made for himself, he is under the obligation of them, but cannot by any compact whatsoever bind his children, or posterity.** For his son, when a man, being altogether as free as the father, **any act of the father can no more give away the liberty of the son, than it can of any body else: he may, indeed, annex such conditions to the land he enjoyed, as a subject of any commonwealth, as may oblige his son to be of the community, if he will enjoy those possessions, which were his fathers; because that estate being his father's property he may dispose, or settle it as he pleases.** And this has generally given the occasion to mistake in this matter; because commonwealths not permitting any part of their dominions to be dismembered, nor to be enjoyed by any but those of their community, the son cannot ordinarily enjoy the possession of his father, but under the same terms his father did, by becoming a member of the society; whereby he puts himself presently under the government he finds established, as much as any other subject of that commonwealth. **And thus the consent of freemen**, born under government, which, only, makes them members of it,

being given separately in their turn, as each comes of age, and not in a multitude together; people taking no notice of it, and thinking it not done at all, or not necessary, conclude they are naturally subjects, as they are men.

**And this mistake**, it is evident Sir Matthew Hale has fallen into, when he tells us, that a lawful prince who hath the prior obligation of allegiance, **can not lose that interest without his own consent**, by his subjects resigning himself to the subjection of another; so that the natural born subject of one prince can not, by swearing allegiance to another prince, put off, or discharge himself from that natural allegiance; for this natural allegiance, says he, was intrinsic, and primitive, and antecedent to the other, and cannot be divested without the concurrent act of that prince to whom it was first due. And the authorities which he brings in support of this opinion clearly prove that **he fell into mistake** from the very reason assigned by Mr. Locke. For, in the next paragraph he tells us, that there were very many that had been antiently *ad fidem regis Angliae et Franciae*, especially before the loss of Normandy: such were the *comes marescallus* that usually lived in England, and *M. de Feynes, manens in Francia*, who were *ad fidem utriusque regis*; but they ordered their homages and fealties so, that they swore or professed allegiance, only to one, viz. [that king in whose dominions they respectively resided;] the homage they performed to the other, [in whose dominions they held lands, but did not reside therein,] being not purely *liege homage*, but rather feudal: and therefore when war happened between the two crowns, *remaneat personaliter quilibet eorum cum eo, cui fecerat ligeanteam; et faciat servitium debitum ei, cum quo non steterat in persona*, namely the service due from the feud, or fee he held: but this did not always satisfy the prince, *cum quo non steterat in persona*, but their possessions were usually seized, and rarely, or not without difficulty restored, without a capitulation to that purpose between the two crowns. And all the cases which he there cites in support of his opinion proceed upon the same ground; namely, the right which each **prince exercised to seize the lands and possessions within his dominions**, which belonged to the subjects of the other with whom he was at war. Which clearly proves that the **right of confiscation** thus mutually claimed and exercised, did not proceed upon the ground that the **party whose lands were seized had broken his natural allegiance**, or that which he might be supposed to owe to the prince in whose dominions he was born; but that **feudal obligation**, only, which every inferior tenant owed to his superior lord, (whether such a superior were a sovereign prince, or merely a private person) of whom he held his lands. Now this power which a prince might possess over the lands and possessions of a **man who never resided within his dominions**, can not be construed to give him any right over the person of such a man; **neither on the other**

**hand can that prince in whose territories he happens to be born claim any right to detain him therein,** merely because he first saw the light there, as Mr. Locke has most clearly shewn; the most that he can do is to prohibit him from carrying his property with him; which if it be lands he can not, and if it be goods, he may not (if the laws of the state forbid) carry away without the consent of the government.

From the whole that we have seen, it appears, that the right of emigration is a right strictly natural; and that the restraints which may be imposed upon the exercise of it, are merely creatures of the *juris positivi*, or **municipal laws of a state**. And consequently that wherever the laws of any country do not prohibit, they permit emigration, or, as I rather chuse to call it, expatriation. Now I apprehend it is altogether immaterial to us in America, whether the laws of England, France or Spain, permit the subjects of those countries, respectively, to expatriate themselves, inasmuch as I have shewn, or at least endeavoured so to do, that the municipal law of no other country upon earth hath any force, or obligation over the citizens of the United States, as such; or over the citizens of any one state in the union, otherwise, or in any greater degree than the constitution or laws of such particular state may have adopted the same: and then it obtains a force and operation, so far, and so far only, as the act of adoption extends, and not on account of any intrinsic obligation which it might be supposed to possess, or derive from any other source. And, although **Virginia has adopted the common law of England**, under certain restrictions, yet Virginia by a positive act of her legislature, so long since as the year 1783, **declared it to be a natural right which all men have, to relinquish that society in which birth or accident may have thrown them, and seek subsistence and happiness elsewhere, and accordingly pointed out the mode in which any citizen might exercise it.** The constitution of Vermont, and the first constitution of Pennsylvania contain similar declarations. Can it then be doubted that the citizens of those states, respectively, **possess the right of exercising this natural privilege**, whatever may be the laws of the other states in the union? If a doubt exists upon what principle it is founded? Perhaps it will be answered, upon the power granted to congress by the constitution to establish an uniform rule of naturalization. I have given an answer to this, in a preceding tract. Perhaps; upon the faith of our **treaties with France, England, and other European nations**. But those treaties only stipulate for the conduct of the citizens of the United States, so long as they remain such; not, for their conduct after they shall have abandoned that character in the manner which the laws of the respective states permit.

If a person violates the treaties, and remains a citizen, the treaties stipulate that he shall be punished, or be abandoned by the United States, **as a pirate, and robber**. But, if

before he attaches himself to any other nation, **he renounces his character of an American citizen, I cannot see that he is any longer amenable to the United States for his conduct**; nor can they be considered as any longer responsible for a conduct which in ninety nine cases out of a hundred, they can by no possibility control, or punish; the parties having forever **bidden adieu** to their territory and jurisdiction.

.....

Let us now compare the **situation and rights of aliens in England with those in America**. An alien in England remained the subject of that king or government under which he was born; he migrated to England for the temporary purposes of merchandise, and not of perpetual residence; because, as he continued to be the subject of a foreign power, he was always supposed to retain the *animus revertendi* to his **natural sovereign**; and, consequently, whenever a war broke out between his own nation and that of Great Britain, he was (however attached to the place of his residence, it's laws or government,) considered as an enemy, **unless he could obtain a special letter of license from the crown to remain in England; he could not be made a denizen**, but by the special favour of the crown; **nor be naturalized**, but by the *like favour* of the supreme legislature, (whose power extends even to an alteration of the constitution itself.) Both these acquisitions must be obtained as a matter of the highest grace and favour, and not of *right*. Yet, under all these circumstances, an *alien*, whose *nation* is in *amity* with England, is clearly and indisputably entitled to the full protection of the laws in every matter that respects his personal liberty, his personal security, and his personal property, as fully and completely as if he had been **naturalized by act of parliament, or had acquired all the rights of an Englishman by his birth**.

**An alien in America**, antecedent to the revolution, was **entitled to all the rights and privileges of an alien in England**, and *many more*; to *all* that an alien in England could claim, because, as has been remarked elsewhere, the *common law of England* and every statute of that country *made for the benefit of the subject*, before our ancestors migrated to this country, were, so far as the same were applicable to the nature of their situation, *and for their benefit, brought over hither by them*; and wherever they are not repealed, altered, or amended by the constitutional provisions, or legislative declaration, of the respective states, every beneficial statute and rule of the common law still remains in force. **An alien in America was also entitled to many more rights than an alien in England**. 1st, By the very act of migrating to, and settling in, America, he became *ipso facto a denizen*, under the express stipulations of the colonial charters, (all of which, it is

believed, contained similar clauses) whereby it was stipulated for the better encouragement of all who would engage in the settlement of the colonies, that they, and every of them that should thereafter be inhabiting the same, should, and might, have all the privileges of **free denizens**, or persons native of England. 2d, By the same act of migrating he had a right to be **naturalized** under the sanction of a **pre-existing law**, made not only for the benefit, but for **the encouragement**, of *all* in a similar situation with himself. **The operation of these laws was immediate, not remote; he became a denizen, as of right, instantly; he became naturalized upon payment of the legal fees for his letters of naturalization, and taking the usual oaths.**

By the adoption of the constitution of the United States, the rights of aliens to become citizens was by no means intended to be taken away. . . . on the contrary, it is expressly provided, that **congress shall have power to establish an uniform rule of naturalization**, throughout the United States. The dissimilarity in the rules of naturalization, in the several states, was supposed to have laid the foundation for intricate and delicate questions, **under that article of the confederation** which declares, that the **free inhabitants of each state, paupers, vagabonds, and fugitives from justice excepted, should be entitled to all privileges and immunities of free citizens in the several states; under which provision, it seems to have been apprehended, that the free inhabitants of one state, although not citizens thereof, might be entitled to all the privileges of citizens in every other: to obviate this and similar inconveniencies, this power of prescribing an uniform rule of naturalization was vested in the federal government.** And here we may observe, that **congress are authorised to prescribe the mode by which aliens may be naturalized, but it never was intended to authorise it to take away the right.** For, among the acts of misrule alleged against our **rejected sovereign**, George the third, in the declaration of independence, it is asserted,

***"that he had endeavoured to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners, and refusing to pass others to encourage their migration hither."***

Every alien coming into the United States, in time of peace, therefore acquired an **inchoate right**, under the constitution, to become a citizen; and when he has, in compliance with the laws, made the requisite declarations of his intention to become a citizen, and to renounce for ever all allegiance and fidelity to any foreign prince, or state, and particularly that prince or state whereof he was last a citizen or subject, he seems to have acquired a **right**, of which no *subsequent* event can divest him, without violating

the principles of political justice, as well as of moral obligation. For the government, in requiring this declaration of renunciation on the part of the alien, previous to his admission to the rights of citizenship, and that at a very considerable period before his right can, by the rule prescribed, be consummated, tacitly engages not to withdraw its protection from him; and much more, **not to betray him, by sending him back to that sovereign**, whose allegiance he had, in the most solemn manner, disclaimed, and whose subject and adherent he could no longer be considered to be, whatever political relations the two nations may thereafter stand in, with respect to each other. If this position be just with respect to those who might, under different circumstances, have been regarded as *alien enemies, (as being antecedently subjects of a power with which the United States may thereafter be at war)*, how much more powerfully will the same reasoning apply in favour of those who can, under no possible view of the case, be considered in that light? And, in fact, nothing could more effectually *discourage* emigration, (no, not even a total incapacity ever to be naturalized,) than such an interpretation of our constitution and laws, as would lay a snare for every foreigner disposed to settle in this country; from whence, upon any personal pique or national quarrel, in which he had no part or share, he might be banished, and sent back to that very sovereign whom he must have offended by making the declarations prescribed by our laws.

**Aliens, in the United States**, are at present of two kinds. **Aliens by birth; and aliens by election. . . .**

**1. Aliens by birth**, are all persons born out of the dominions of the United States, since the fourth day of July, 1776, on which day they declared themselves an independent and sovereign nation, with some few exceptions, viz. 1. In favour of infants,

*"wheresoever born, whose father, if living, or otherwise, whose mother was a citizen at the time of the birth of such infants; or who migrated hither, their father, if living, or otherwise their mother becoming a citizen of the commonwealth; or who migrated hither without father, or mother,"*

during the continuance of the act of May, 1779, c. 55, declaring who should be deemed citizens, which was repealed October, 1783, c. 16, of that session, so far as relates to the two latter cases; but continued as to the first. 2. Such persons as have obtained a right to citizenship under the existing laws of the state, whether infants, or otherwise. Edi. 1794, c. 110. 3. Such persons as have been naturalized under the act of 1 Cong. 2 Sess. c. 3. 4. Such persons as have, or may acquire the rights of citizenship pursuant to the act of 3 Cong. c. 85, and the children of such persons duly naturalized dwelling within the

United States, and being under the age of twenty-one years, at the time of such naturalization; and the children of citizens of the United States, **born out of the limits and jurisdiction of the United States**. But the same act declares that the right of citizenship shall not descend to persons, whose fathers have never been resident in the United States. . . . All persons born before the fourth day of July, 1776, who were not natural born subjects of the crown of Great-Britain; nor were on that day residents within, or **inhabitants of the United States**; nor have since that time become citizens of the United States, or some one of them, **are also aliens by birth**.

**2. Aliens by election are all such natural born**, or naturalized subjects of the crown of Great-Britain, as were born, or naturalized before the fourth day of July, 1776, and have not since become actual citizens of the United States; or, having been actual citizens, have at any time thereafter during the revolutionary war, voluntarily joined the armies of Great-Britain, and borne arms against the United States, or any of them; or been owner or part owner of any privateer or other vessel of war; or a member of the refugee board of commissioners at New-York; or have acted under their authority; or have been for any other cause proscribed by any state in the union. See V. L. 1779, c. 14 and 55. Oct. 1779, c. 18. Oct. 1783, c. 16, 17. Edi. 1785. 1786, c. 10. 1794, c. 110. L. U. S. 1 Cong. 2 Sess. c. 3. 3 Cong. c. 85.

**This distinction between aliens by birth, and those by election**, is of importance. **Aliens by birth are generally subject to all the incapacities to which aliens are subject by the rules of the common law**. Aliens by election (although during the revolutionary war they were subject to many incapacities, and even penalties) are now upon a much more eligible footing; possessing rights, (partly derived from the rules of the common law, and partly from the provisions contained in the **treaty of peace** in 1783, and the **treaty of London** in 1794) to which **aliens by birth can have no claim**, except as they may be derived (under the treaty of 1794) **by descent, devise, or purchase, from aliens by election**.

**Aliens by election** may then be shortly described to be those subjects of the crown of Great-Britain on the fourth day of July, 1776, who have elected to remain such, and have not since become, and continued to be, citizens of the United States, or some one of them. **These, by the common law, upon the separation of the two countries, were still capable of inheriting and holding lands in the United States, notwithstanding such separation**; and on the other hand, the citizens of the United States born before the separation, had the like capacity to inherit, or hold lands in the British dominions. 7 Co. Calvin's case. But it is conceived that upon the death of these *antenati*, as they are

called, their lands in both countries, would have been liable to escheat, if their heirs should be *postnati*, or **born after the separation**. But that is provided against by the **treaty of London, 1794, Art. 9**, whereby it is agreed,

*"that British subjects, who THEN held lands in the territories of the United States; and American citizens who then held lands in the British dominions, shall continue to hold them according to the nature and tenure of their respective estates, and titles, therein: and might grant, sell or devise the same to whom they please, in like manner as if they were natives; and that neither they, their heirs or assigns, shall, so far as may respect the said lands and the legal remedies incident thereto, be regarded as aliens."*

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The Founders' Constitution

Volume 2, Article 1, Section 8, Clause 4, Document 15

[http://press-pubs.uchicago.edu/founders/documents/a1\\_8\\_4\\_citizenships15.html](http://press-pubs.uchicago.edu/founders/documents/a1_8_4_citizenships15.html)

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## **EXHIBIT VI**

## *The Expatriation Act of 1868*

Article I, Section 8 empowers Congress to,

**“establish an uniform Rule of Naturalization”**

—to regulate the terms by which foreigners may acquire American citizenship. Simple enough, right? Except that Old World nations generally embraced the doctrine of perpetual allegiance (that a natural-born Ubekibekibekibekistanstani remained an Ubekibekibekibekistanstani until death). English common law, for example, effectively denied the legitimacy of the concept of self-denaturalization. As the Royal Navy began to impress into its service British expatriates stationed on American vessels, President Jefferson wrote to Treasury Secretary Albert Gallatin that

**“I hold the right of expatriation to be inherent in every man by the laws of nature . . . the individual may [exercise such right] by any effectual and unequivocal act or declaration.”**

In the mid-1860s, naturalized Americans were conscripted into the French and Prussian Armies while visiting relatives in their former homelands. In 1867, two naturalized Americans were charged with treason against the British government despite having renounced their allegiance to Queen Victoria. America’s firm avowal of the efficacy of individual naturalizations and the Old World’s denial that the antecedent event (expatriation) could occur were clearly incompatible.

Andrew Johnson observed in his Second Annual Message of December 3, 1866 that

**“[p]eace is now prevailing everywhere in Europe, and the present seems to be a favorable time for an assertion by Congress of the principle, so long maintained by the Executive Department, that naturalization by one State fully exempts the native-born subject of any other State from the performance of military service under any foreign Government, so long as he does not voluntarily renounce its rights and benefits.”**

Johnson also wrote in his next Annual Message that this,

**“singular and embarrassing conflict of laws”**

(contradictory international positions on expatriation)

**“perplexes the public mind concerning the rights of naturalized citizens and impairs the national authority abroad.”** He **“appeal[ed] to Congress to declare the national will unmistakably upon this important question.”**

Congress responded with the Expatriation Act of July 27, 1868. Echoing Jefferson in more ways than one, the law's preamble affirmed that,

**“the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness.”**

Any official act undercutting this sacrosanct individual right was thereby

**“declared inconsistent with the fundamental principles of this government.”**

Congress **failed** to specify the penalty for high-ranking deviancy, **nor** did it provide a list of actions sufficient to establish an *American's* intent to relinquish citizenship (the Expatriation Act of 1907 was Congress's first crack at such a recitation). I will also add that the 1907 Act was partially

**“inconsistent with the fundamental principles of this government,”**

for it declared that

**“no American citizen shall be allowed to expatriate himself when this country is at war.”**

Ironically, this was precisely the condition under which droves of Englishmen sought naturalization in the United States in the early 1800s; their predicament engendered the home-grown philosophical defenses of self-expatriation that made the 1907 Act possible.



My dear friend  
I have just received your letter  
and am very glad to hear from you  
I am well and hope this finds you  
the same. I have been thinking  
much of late of the old days  
and the friends we have left behind  
I hope you are all well and happy  
as ever. I have not much news  
to write at present. I am  
very truly yours  
John

March 1861

My dear Sir,  
I have the honor to acknowledge  
your letter of the 14th inst.  
and in reply to inform you that  
the same has been forwarded  
to the proper authorities for  
their consideration.

I am, Sir, very respectfully,  
Your obedient servant,  
Wm. L. Garrison  
Secretary of the American  
Anti-Slavery Society  
New York

A Bill

Concerning the rights of American citizens in foreign States

Whereas, the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty and the pursuit of happiness; the protection of which the Government of the United States was established; and whereas, in the recognition of this principle this Government has freely received emigrants from all nations and invested them with the rights of citizenship; And whereas it is claimed that all such American citizens with their descendants are subjects of foreign States owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed, therefore ~~it is enacted~~.

Be it enacted by the Senate  
and House of Representatives of the  
United States of America in Congress  
assembled; That any declaration, in-  
struction, opinion, order or decision of  
any officers of this government which  
denies, restricts, impairs or questions the  
right of expatriation, is hereby declared  
inconsistent with the fundamental prin-  
ciples of this government and therefore  
null and void.

Section II And for the purpose

That all naturalized citizens of the United States while in  
the United States shall be entitled to, and shall receive from this

## **EXHIBIT VII**

## Expatriation Act of 1868

*Not to be confused with the Expatriation Act of 1907 or the Enemy Expatriation Act of 2012.*

The **Expatriation Act of 1868** was an act of the 40th United States Congress that declared, as part of the United States nationality law, that the right of expatriation (ie. a right to renounce one's citizenship) is "a natural and inherent right of all people" and "that any declaration, instruction, opinion, order, or decision of any officers of this government which restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government".[1]

The intent of the act was also to counter claims by other countries that U.S. citizens owed them allegiance, and was an explicit rejection of the feudal common law principle of perpetual allegiance.[2]

The Expatriation Act of 1868 was codified at 25 Rev. Stat. § 1999, and then by 1940 had been re-enacted at 8 U.S.C. § 800.[3][4] It is now the last note to 8 U.S.C. § 1481.

### Background

The United States had, since its early days, implicitly denied the doctrine of perpetual allegiance through its naturalization laws. President Thomas Jefferson wrote to Treasury Secretary Albert Gallatin that "I hold the right of expatriation to be inherent in every man by the laws of nature ... the individual may [exercise such right] by any effectual and unequivocal act or declaration".

Other countries, however, did not recognise this position; indeed, the British Royal Navy's impressment of American sailors was one of the *casus belli* provoking the U.S. to join the War of 1812.[5] Those countries' non-recognition of renunciation of their citizenship continued to cause problems for naturalized Americans during the course of the century. In the 1860s, France as well as various German and Scandinavian states attempted to conscript their natives who had become U.S. citizens when they went back to their homelands for short visits. [5][6] France, Italy, and Switzerland however at least had procedures for abjuring one's original allegiance; Greece, Russia, and the Ottoman Empire did not have such procedures at all, and even sometimes punished their natives for acquiring U.S. citizenship.[7]

In response to this, President Andrew Johnson called on Congress in his Second Annual Message in December 1866 to assert "the principle so long maintained by the executive department that naturalization by one state fully exempts the native-born subject of any other state from the performance of military service under any foreign government".[1] The problem was illustrated more acutely the following year when Britain charged naturalized Americans John Warren and Augustine Costello of the Fenian Brotherhood under the Treason Felony Act 1848.[1][8] Johnson used this example to illustrate the urgency of the problem in his Third Annual Message in December 1867, stating that it "perplexes the public mind concerning the rights of naturalized citizens and impairs the national authority abroad".[1]

### Debate and enactment

In January 1868, the month after Johnson's Third Annual Message, the House Committee on Foreign Affairs issued a report on nationality issues; their report argued against the doctrine of perpetual allegiance, stating that countries which permitted emigration implicitly recognized the right to renounce one's citizenship as well. Nathaniel P. Banks, head of the Committee, introduced the bill that would become the Expatriation Act on that same day.[9] One of the bill's major proponents was Frederick E. Woodbridge of Vermont.[2] The initial version of the bill had harsh provisions for retaliation against the countries which refused to recognize the right to renounce one's citizenship; for example, if an American was arrested by his native country, the bill would have given the President the power to order the arrest of any of the subjects of that country living in the United States. An amendment added the preamble; the bill as amended was adopted in the House by a vote of 104 to 4. The bill then came before the Senate Committee on Foreign Relations; the major amendment in the Senate was to ensure that the retaliatory measures taken by the President would be limited to those "not amounting to acts of war". The Senate passed the amended bill 39-7; the amended bill was concurred in by the House.[10]

The Expatriation Act came into law one day before the Fourteenth Amendment, which introduced the principle of birthright citizenship into the Constitution.[11] The attitude towards emigration and loss of citizenship expressed in the Expatriation Act of 1868 was echoed by the contemporaneous Burlingame Treaty between the United States and China's Qing Dynasty, which stated that both signatory parties recognized "the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of ... free migration and emigration ... for purposes of curiosity, of trade, or as permanent residents".[3] Other migrant-sending countries also moved towards the principle of recognition of renunciation of citizenship as well, for example through the Bancroft Treaties.[11] By the late nineteenth century, the doctrine of perpetual allegiance had died a "surprisingly speedy and unlamented death".[12]

### Loss of United States citizenship under the Act

The Expatriation Act of 1868 did not explicitly create any procedure by which a U.S. citizen might exercise his or her right to give up citizenship. Existing law — namely, the Enrollment Act of 1865 § 21[13] — provided only two grounds for loss of citizenship, those being draft evasion and desertion.[11][14] The Bancroft Treaties also had provisions that naturalized U.S. citizens would be deemed to have renounced their U.S. citizenship and resumed their original citizenship if they returned to their native countries and remained there for a certain period of time. Finally, in 1873, Attorney-General George Henry Williams wrote that "the affirmation by Congress, that the right of expatriation is 'a natural and inherent right in all people' includes citizens of the United States as well as others, and the executive should give to it that comprehensive effect." However, William's statement was mostly used to justify the denaturalization of naturalized U.S. citizens.[15] In general, a naturalized American who

took up a position in the government or military of his native country was considered to have given up his U.S. citizenship and resumed his original one; however, naturalized Americans who did these same acts in other countries which were not their native countries were seen as having given up their right to U.S. protection, but not to U.S. citizenship itself. In particular, the State Department did not consider that mere establishment of non-U.S. domicile was sufficient grounds for revoking U.S. citizenship.[16]

There would be no legislation regarding grounds for loss of U.S. citizenship by native-born citizens until the Expatriation Act of 1907 (34 Stat. 1228).[11][14] Before then, the State Department and the courts seemed to agree that the only act which would cause a native-born citizen to lose U.S. citizenship was voluntary acquisition of citizen or subject status in a foreign state.[17] Even foreign military service was not necessarily held to result in loss of U.S. citizenship; the precedent pointed out by Thomas F. Bayard, Secretary of State during the late 1880s, was that the U.S. did not consider the French who joined the American Revolution to have thus acquired U.S. citizenship. Similarly, voting in a foreign election was not held as definitive evidence of intent to give up citizenship, in the absence of an express acquisition of foreign citizenship and renunciation of the U.S. one.[18] However, the Expatriation Act of 1907 and subsequent legislation would thenceforth broaden the number of actions which, if undertaken voluntarily, would be considered by the U.S. government to prove the intent to lose U.S. citizenship.[19]

#### Later case law

In the 1950 case *Savorgnan v. United States*, the Supreme Court held that a woman who applied for Italian citizenship by virtue of her marriage to her husband had voluntarily given up her U.S. citizenship. Associate Justice Harold Hitz Burton wrote that:[20]

Traditionally the United States has supported the right of expatriation as a natural and inherent right of all people. Denial, restriction, impairment or questioning of that right was declared by Congress, in 1868, to be inconsistent with the fundamental principles of this Government. From the beginning, one of the most obvious and effective forms of expatriation has been that of naturalization under the laws of another nation. However, due to the common-law prohibition of expatriation without the consent of the sovereign, our courts hesitated to recognize expatriation of our citizens, even by foreign naturalization, without the express consent of our Government. Congress finally gave its consent upon the specific terms stated in the Citizenship Act of 1907 and in its successor, the Nationality Act of 1940. Those Acts are to be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed.

And, in his footnote:

The above language [*i.e. the preamble of the Expatriation Act, which he quoted*], when enacted, was intended to apply especially to immigrants into the United States. It sought to emphasize the natural and inherent right of such people to expatriate themselves from their native nationalities. It sought also to secure for them full recognition of their newly acquired

American citizenship. The language is also broad enough to cover, and does cover, the corresponding natural and inherent right of American citizens to expatriate themselves.

In the 1957 case *Briehl v. Dulles*, the Court of Appeals for the DC Circuit held that the Department of State could lawfully deny issuance of a United States passport to an applicant who refused to execute an affidavit regarding his political affiliations. However, in a dissenting opinion, Judge David L. Bazelon argued that "[s]ince expatriation is today impossible without leaving the country, the policy expressed by Congress in 1868 and never repealed precludes a reading of the passport and travel control statutes which would permit the Secretary of State to prevent citizens from leaving". Chief Judge Henry White Edgerton concurred with Bazelon's opinion.[21]

Congress's power to legislate for implicit expatriation of Americans was later heavily restricted by the 1967 case *Afroyim v. Rusk*, which concluded that natural-born Americans cannot be deprived of citizenship by any means except a voluntary renunciation in the presence of a consular official. Associate Justice Hugo Black's majority opinion extensively discussed the Expatriation Act of 1868, including the history of proposed amendments to it.[22]

### Notes

Rice 2011, p. 51

1. ^ Jump up to:[a](#) [b](#) Erler 2003, p. 191
2. ^ Jump up to:[a](#) [b](#) Yoo 2002
3. ^ 7 FAM 1280, p. 14; the source does not specify the exact date of re-enactment
4. ^ Jump up to:[a](#) [b](#) Rice 2011, p. 50
5. ^ Guild 2005, p. 148
6. ^ Tsiang 1942, p. 95
7. ^ Schuck & Smith 1985
8. ^ Tsiang 1942, p. 86
9. ^ Tsiang 1942, p. 87
- 10.^ Jump up to:[a](#) [b](#) [c](#) [d](#) Pickus 2007, p. 66
- 11.^ Martin, David A. (Spring 2005). "Dual Nationality: TR's 'Self-Evident Absurdity'". *UVA Lawyer*. Retrieved 2012-06-12.
- 12.^ Long title: the Act to amend the several acts heretofore passed to provide for the Enrolling and Calling out the National Forces, and for other Purposes, passed on March 3, 1865; the relevant section can be found at 13 Stat. 490
- 13.^ Jump up to:[a](#) [b](#) 7 FAM 1240, p. 5
- 14.^ Tsiang 1942, p. 97
- 15.^ Tsiang 1942, p. 98
- 16.^ Tsiang 1942, p. 101
- 17.^ Tsiang 1942, p. 102
- 18.^ Tsiang 1942, p. 104
- 19.^ *Savorgnan v. United States*, 338 U.S. 491 (1950).
- 20.^ *Briehl v. Dulles*, 248 F.2d 561, 583, 113 (U.S.App.D.C. 1957). The ruling in *Briehl v. Dulles* was reversed by the Supreme Court, but the reversal made no reference to the Expatriation Act of 1868. See *Kent v. Dulles*, 357 U.S. 116 (1958).
- 21.^ *Afroyim v. Rusk*, 387 U.S. 253 (1967).

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